

This filing is a Motion intended for Chief Judge of the Eastern District of the Third

Circuit Juan Sanchez. This filing should be placed on my criminal docket 2:19-cr-00356-PD-1 U.S.A. v ANDREW M. BERKOWITZ. In Document #434 the very Dishonorable Judge Paul S.S. Diamond commandeered my MOTION to Judge Juan Sanchez to consider removing the Dishonorable Judge. I know not ~~what~~ <sup>the complete</sup> role Clerk of Court George Wylesol played in allowing S.S. Diamond to do that commandeering. In that Document #434 I had requested Chief Judge Juan Sanchez to make a ruling as to whether or not he would allow Diamond to remain as my presiding Judge. Chief Judge Juan Sanchez, to this date, had not made a ruling on such. Clearly, this is a profound dereliction of the Chief Justice's duty. Yet, I know not who is truly culpable and to what degree they are culpable for this NEVER happening. As far as the evidence shows, the lion's share of this culpability lies in the threesome of the Clerk of Courts George Wylesol / Judge S.S. Diamond and (perhaps) Chief Judge Juan Sanchez. All I know for sure is that George Wylesol AND Judge S.S. Diamond conspired to perpetrate a FRAUD on the Court. Wylesol and S.S. Diamond apparently steered that motion AWAY from the desk of the Chief



Justice. What role Sanchez play ~~in~~ in This? - i.e. <sup>query</sup> did the unholy alliance of Diamond and Wylesol do such "steering" away from Sanchez with Sanchez's knowledge / approval of directions (this is speculative)? I believe there should be a Evidentiary Hearing to determine such. In a decent country, or even in a not so decent country where that Circuit and that District was more respectful to "The Rule of Law" than the Third Circuit's Eastern District is, that Evidentiary Hearing to explore the who / how / why Judge Sanchez has failed to rule on my motion in #434 (to remove Diamond as <sup>being</sup> my presiding Judge) would happen at God's speed. Yet, being in the Eastern District of the Third Circuit, eight months post submission of my motion for Sanchez to remove Diamond, that motion hasn't been ruled on. Furthermore, there is no reason to suspect that said such ruling will be soon forthcoming. What the fraudulent team of Wylesol and Diamond apparently did was that they steered <sup>away</sup> my motion from Sanchez's desk of motions <sup>for him</sup> to rule on by LYING in <sup>their</sup> labelling that filing #434 as a <sup>mere</sup> "Prose Letter." LAWLESSLY FASCIST is ~~as~~ <sup>as</sup> LAWLESSLY FASCIST DOES <sup>my</sup> Not expecting Judge Sanchez to ever rule on that <sup>buried</sup> motion of mine to remove Diamond as my presiding Judge has made it absolutely necessary for me to



resubmit a second motion to Chief Juan Sanchez <sup>urging him</sup> to do the LAWFUL thing as "The Rule of Law" demands <sup>lower</sup> <sup>Page</sup> <sup>3</sup> he <sup>does</sup> to have Diamond removed as my presiding Judge. This foreward to my motion here <sup>is</sup> intended for Chief Judge Juan Sanchez (and NOT the Dishonorable Judge Paul S.S. Diamond). It <sup>also</sup> <sup>to become</sup> is written to let that nefarious duo of Wylesol and Diamond abundantly aware that I'm onto their Sophomoric Machiavellian Maneuvers. I'm onto their bloodthirsty Shenanigans to subvert "The Rule of Law" in The Eastern District of The Third Circuit in my case (and perhaps a myriad of others). Let the truth be known, This patriotic WHISTLEBLOWER will do his job (his mission) as God had intended. I have already filed a claim against Devil Diamond with The Office of Professional Responsibility (as you will later note from reading this ~~filing~~ <sup>also</sup> <sup>filing</sup>). Diamond is gone. In the future, I will <sup>also</sup> be filing claims against Mary Beth "LYING" Leahy and Bryan "Fuhrman" Lacy. I have no desire to file a claim against Wylesol and Sanchez. Yet, should that duo force me to do so, This WHISTLEBLOWER will follow their directives. I expect Wylesol to post this on my criminal docket as a filing and I expect him to notify Sanchez of this filing and deliver a copy to him. I demand that Wylesol do such



without the approval of S.S. Diamond. Should Wylesol ignore my very LAWFUL advice here that might be a move of significant significance to his career. The problem Kate Barkman had <sup>and</sup> apparently Wylesol is also <sup>presently</sup> having is one of misguided loyalties. Rather than following their vows, "The Rule of Law," "The Constitution" and "The Lord our God" they have chosen to follow S.S. Diamond and his master SATAN and unquestionably, from doing such there will be Hell to pay. That being said, I am advising both Wylesol and Sanchez to redirect their loyalties away from ~~X~~ S.S. ~~X~~ and towards the Lord and the U.S.'s <sup>Theirs</sup> ~~Yours~~. If "Rule of Law." Yet, the choice will be ~~Yours~~. I expect Chief Judge Sanchez to rule on this motion within fourteen days of this filing being served. That is a very reasonable request being that the first time I made this motion was in document #434 that was served in June of 23. There will be no Switzerland in this classic battle between "Good and Evil". No plausible deniability will be offered to any of the officers of the Court in this landmark, historic case known as 2:19-cr-00356-PD-1. I'm praying for the very souls of Wylesol and Sanchez. While it is true that for with God nothing is impossible, Vegas has the odds a million to one that the dishonorable Judge Paul S.S. Diamond will ~~chose~~ to pivot towards <sup>The</sup> Lord



IN THE UNITED STATES ~~EASTERN~~ DISTRICT  
COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
PHILADELPHIA DIVISION

UNITED STATES OF AMERICA

ANDREW M. BERKOWITZ

2:19-cr-00356-PD-11

Certificate of Service

I certify that on 2/9/24 I filed this document with the Clerk of Courts for the UNITED STATES DISTRICT COURT for the Eastern District of Pennsylvania via the Prison Mailbox Rule by giving it to the designated C.O. at the LOW on the Western Compound at Fort Dix in building 5812.

I swear that all the information in this 75 (76) page filing is factually true to the best of my knowledge

2/7/24

Syllabus (Table of Contents)

① Motion To Be Delivered To Chief Judge Juan Sanchez To Remove Diamond As The Presiding Judge In My case 2:19-cr-00356-PD-1 (send a duplicate copy to The Third Circuit Court of Appeals)  
1-45

J(1+2)/ Many Expert Psychiatrists would find Judge Paul S. Diamond

K<sub>1</sub>-K<sub>2</sub>/ They convicted me of a crime that never occurred w/ The Case For a Special Prosecutor

lower 5

Exhibits

Exhibit A/ Cover letter for my certified correspondence

B/ My Growing List of those I've written to for relief

C-C<sub>2</sub>/ The Criminal Referral

D<sub>1</sub>-D<sub>2</sub>/ The Obstruction of Justice

E<sub>1</sub>-E<sub>2</sub>/ Judge Diamond has removed himself from my case

F<sub>1</sub>-F<sub>2</sub>/ Both Lawyerless and Judgeless

G<sub>1</sub>/ Diamond's INCOMPREHENSIBLE POWINGS

H<sub>1</sub>-H<sub>2</sub>/ Document 331 pg 5

I<sub>1</sub>-I<sub>3</sub>/ It's 100% Inappropriate that Judge Paul S.



①

① Motion For Chief Justice Of The Eastern District Judge Juan Sanchez To Remove Judge Paul. S. Diamond As My <sup>Presiding</sup> ~~Residing~~ Judge In My Case 2:19-cr-00356 As "The Rule Of Law" Demands Such Be Done. The 14<sup>th</sup> Amendment guarantees a citizen of The United States "Due Process." As part of that Due Process it affords that citizen the right to a "balls and strikes Judge." Unfortunately, in this case, my Constitutional rights have been violated. That clear violation occurred when Paul Diamond failed to recuse himself when I put in motions for him to do such a number of times. The last time he failed to recuse himself was in his ruling/order #449 (posted 1/2/24). I am presently appealing that ruling/order that is in front of the Third Circuit Court of Appeals. His justification for not recusing himself in #449 was not based on precedent nor any legal rationale. His ruling was that he found that motion "INCOMPREHENSIBLE." Noting that Diamond neither comprehends nor follows "The Rule Of Law" (and had denied 25<sup>+</sup> motions in the last 7 months also declaring them "incomprehensible") see Addendum "G"



I in my <sup>motion #448</sup> made sure to use unsophisticated wording (to the point that an average twelve year old could understand.) His declaring those motions "incomprehensible," is but one more example of why Judge Diamond needs to recuse himself. While he did not grant that motion to recuse, in the way he did that he <sup>actually</sup> made the case for it <sup>once</sup> again beyond a shadow of a doubt.

<sup>28</sup> U.S.C. § 455 states  
Any justice, judge or [magistrate judge] of the United States SHALL disqualify himself in any proceeding in which his impartiality might reasonably be questioned. In the Third Circuit the Appeals Court had established Kensington International as being the precedent to follow that aligns itself with U.S.C. § 455. The legal bar set by U.S.C. § 455 is as low as any legal bar can be in our legal system. Lower than "beyond the shadow of a reasonable doubt" and much lower than "from a preponderance of the evidence." However, there can be a real problem / a loophole / a fatal flaw in U.S.C. § 455 which makes it toothless / feckless / ineffective. That statute is dependant on the justice or judge to ~~disqualify~~ disqualify



himself, to act honorably. Quite frequently Judges (3) who are in most need to recuse themselves (history has shown us time and time again) are much less likely to recuse themselves than judges whose need to recuse themselves is far less compelling. Yet USC § 455 is "The Rule of Law" in this country and when judges who have complete and utter disdain for "The Rule of Law" ignore § 455 it behooves those judges gatekeeping superior to step in and compel those lawless judges to follow § 455.

Thus the need for Judge Sanchez to step in NOW and grant my motion here. Should he not, I will be compelled to then take this issue to his superior Supreme Court Justice Alito. Bringing this motion to either Sanchez or Alito will not be a joyful thing, but it unquestionably will be a patriotic act that this WHISTLEBLOWER will do. I will not shrink from fulfilling that unpleasant duty. My father always taught me - boys do what they want to do, but true men do what they have to do. Being a fair man, I will give Chief Justice Sanchez the opportunity to step up and "do the right thing." I know very little of him and will ignore the urgings of others to "not waste my time" and go directly to "THE COURT"



I do so ignoring the common belief that Sanchez has been protecting his good buddy Diamond during Diamond's "REIGN OF TERROR" from 2004. The "word on the street" is that Sanchez <sup>for years</sup> has effectively been a "FIXER" cleaning up/covering up ~~the~~ <sup>Diamond's</sup> judicial malfeasances. However, being a fair man and having no personal knowledge of how Judge Sanchez adjudicates, I have chosen to allow him this "opportunity to cure" and not go to Justice Samuel Alito unless compelled to as a matter of last resort to compel Diamond to be removed ~~himself~~ as the presiding Judge in my case.

Realizing that the Federal Judge's primary responsibility is to protect my civil rights from the Fascist power of the Government, the Third Circuit <sup>has</sup> set a low legal bar for recusal in their ruling in the Kensington International case. In that ruling the court made the following ruling that - should a reasonable person knowing all the relevant circumstances conclude that the Judge's impartiality might reasonably be questioned, then the Judge shall recuse himself. It is important to note that in order for that Judge to be disqualified the record need not demonstrate that the Judge has done ANYTHING wrong or unethical or unbiased. It is within this context of Kensington International that I am <sup>now</sup> asking Judge Juan Sanchez to rule. I am having him do such since Judge Diamond has



over and over again in my case, demonstrated his complete and utter disdain for that "Rule of Law" with his refusal to follow the Kensington International precedent being but one example.

While I have found that Diamond has indeed shown himself to have been unethical and biased against me beyond a shadow of a doubt—in order for Judge Sanchez to grant me my motion to in effect recuse Diamond by forcing him off the case, he needn't agree with me that Diamond has wronged me, <sup>having</sup> been both unethical and biased. Judge Sanchez need only exceed the low bar set by Kensington to grant<sup>me</sup> this motion here.

I believe, Judge Diamond has committed criminal acts (which the DOJ <sup>(until this point)</sup> has conveniently ignored, being that they are "inconvenient" true crimes <sup>being that</sup> ~~and~~ the perpetrator of such <sup>most probably</sup> is a Judge who always rules in their favor i.e., a fascist Judge who is as fascist as it gets) and ignored "The Rule of Law" dozens of times in my case warranting his removal as my presiding Judge. While he's done such dozens of times (all extensively written about in my filings to the court) for the sake of brevity (and in respect to Chief Justice Juan Sanchez's time) I'll



limit the issues discussed in this filing: ⑥  
to a mere few. Those few discussed here, in this  
filing, will be some of the most egregious &c.  
his greatest atrocities. Let the truth be known, I  
have some empathy for Judge Sanchez who S.S.  
Diamond has dragged into this case, <sup>A case that</sup> ~~and~~ forced Judge  
Sanchez to push ex Clerk of Court (Kate Barkman)  
to resign <sup>just</sup> after my sentencing for her part  
in the obstruction of justice acts committed  
in my case by the Diamond et al. team. In fact,  
if Diamond wasn't such a crazy rogue criminal  
Judge Sanchez's loyalty to Diamond could easily  
be seen by some as laudable. Yet, this motion for  
Sanchez to remove Diamond from my case here is  
a blessed opportunity (clearly a blessed opportunity for  
the Chief Justice). It is giving him both an  
opportunity to <sup>sanction</sup> redeem himself (who has been  
significantly implicated in this case (i.e. up to  
his eyeballs implicated)) AND at the same time  
play a role in my conviction being overturned.  
Once again, unquestionably a blessed opportunity  
(which I hope he takes advantage of). The evidence  
presented in this filing, right here, right now, as for  
the need for Diamond to be forcefully removed in



here (will be) overwhelming. Yet, the overwhelming evidence here will be circa 5-10% of the total evidence dictating his removal as per the Third Circuit's precedent for such (in its Kensington International ruling). Should the Chief Judge Juan Sanchez not agree with the above aforementioned assertion after reading this filing here he should feel free to look at my filings (Pro Se Filings) I have previously submitted to the Court (which are all on my criminal docket number 2:19-cr-00356-PD-1) ~~which~~ contain the other 90-95% of the evidence demanding his recusal (which is not included in this filing). Below <sup>you will find</sup> a short outline of the issues dictating his recusal as per "The Rule of Law" as delineated in 28 U.S.C. § 455. Each of the issues in that outline will be elaborated on in the rest of this filing (in the succeeding portion of this motion/filing).

a) Diamond accepted my pleading that was NON-FACTUAL (the Government Discovery provided ZERO evidence that I committed anyone of the 42 counts I was charged with that <sup>my</sup> pleading was also 'ill gotten in that it was obtained through a MURDER extortion. The Government's discovery revealed exactly



what I did. I made a lot of money prescribing <sup>and what I didn't do.</sup> medications. I had from my pharmacy. These medications were manufactured by BIG PHARMA and approved by various health insurance companies to be disbursed to their subscribers.

In an unholy alliance BIG PHARMA and the health insurance carriers devised a scheme (designed to be a legal "loophole" scheme) to bilk their customers out of billions of dollars by creating new medications (similar to old medications - kinda "me too" medications) and reimbursing high prices for those new "me too" medications. Of course, I played no part in those insurance companies

a) approving those new medications for their subscribers

b) reimbursing for those new medications ten times what they were reimbursing for those similar older cheaper me too medications

c) setting lower co-pays for those highly reimbursable newer "me too" medications than the older much lower reimbursing counterparts

The a/b/c's here were created by the "high hanging fruit" (those part of that unholy alliance)



whose lackey attack dogs (the DOJ) had (9)  
 given them immunity to bilk their subscribers. They  
 were given immunity <sup>not</sup> with one caveat - that the  
 "whales" would be allowed to go free (be given  
 total immunity ~~from~~ <sup>as to</sup> their "legal loophole")  
 provided that those "whales" throw them an  
 occasional minnow in their scheme. I guess,  
 I thought I was invited to the party  
 until those making <sup>the</sup> BILLIONS made the criminal  
 referral to their lackey attack dogs. ~~claiming~~ <sup>In that referral</sup>  
 they ~~claimed~~ <sup>I had</sup> "criminally" made a few million from  
 their legal bilking of the public. It is  
 quite frequent that the DOJ ~~always~~ will  
 choose to go after the little guy (low hanging  
 fruit) rather than the ~~big~~ big guy (high  
 hanging fruit) who has siphoned off a few  
 million of their profit to pay their "financial  
 dues for influence" to their government  
 representatives of choice. Yet, it's not every-  
 day that the "high hanging fruit" <sup>the</sup> is a scheme  
 (who paid their dues to gain their immunity)  
 makes the criminal referral for the DOJ to go



after the low hanging fruit. The DOJ needs to be thrown some minnows from their friendly whales (BIG PHARMA and the health insurance companies). <sup>Apparently</sup> They need some "material" to give to their Propaganda department to help that department replace the truth with their myths.

Their myths <sup>being</sup> that the DOJ and their whale buddies

- are working for the people (when the inverse is true)
- are the public's protectors (when the inverse is true)
- ~~a myth~~ created by <sup>this</sup> unholy alliance

- That I'm the Goody Bag Doctor (and the scourge of the people) They purported that I prescribed 100% of my disbursements to patients of BCBS, Aetna and Medicare without a legitimate medical reason for the sake of money. Their propaganda department asserted that I was the worst of the worst. A mixture of Bernie Madoff and Dr. Josef Mengele. That I poisoned 100% of my patients with dangerous medications that could kill them all for the sake of money \$. While I'm not a big proponent of the death penalty, should they put anyone to death (if I <sup>actually</sup> did what they have alleged I did), perhaps I should be the first. Who are these people who have the demonic desire to paint me



(11)

as perhaps history's most evil doctor of all time. Once again, They have asserted a myth that is the complete inverse of the truth. Not only did I not disburse 100% for illegitimate reasons, the science (and the manufacturers inserts) prove I didn't disburse .001% <sup>of those</sup> medications for illegitimate <sup>medical</sup> reasons. Why is it that the government's narratives are always the inverse of the truth? Perhaps for the same reason SATAN's directives are always the polar opposite of the Lord's. In my case the myth was I was the Goody Bag Doctor (history's most evil doctor of all time). But the truth is I am THE GOOD DOCTOR whose list of good deeds are 100 fold off that of the evil Judge (the very dishonorable Judge Paul S.S. Diamond). Diamond is gone. The LOG BOOKS that will be gotten (via FOIA or through the Third Circuit) <sup>and</sup> will prove who is law abiding and who is the criminal. Those LOG BOOKS will prove who is the patriot to our country, <sup>who honors</sup> their vows, <sup>and who follows</sup> "The Rule of Law" and the Constitution - and who is the traitor to our country's Constitution and "Rule of Law".



"The Rule of Law in our country is as good as it gets." Clearly, the problem isn't with "The Rule of Law" that was willed to us by the giants that came before us. The problem lies with the midgets that came to follow those giants. Those midgets are "wannabe giants" who lack the discipline, intelligence and devotion to their creator and His word to actually ~~be~~<sup>become</sup> giants. These midgets would give one hundred dollars to be a millionaire (lacking the understanding that you get out of it what you put into it). These midgets to follow were the people entrusted by the public (who swore to honor that trust in the vows they swore to) to both interpret and enforce that "Rule of Law." They are the problem rather than "The Rule of Law," our forefathers, being those giants that came before us whose shoulders ~~we~~<sup>we</sup> live (and one day could possibly thrive from) on saw this coming. It is FACTUALLY TRUE that because they foresaw "the midgets to ~~be~~<sup>come</sup>" that they gave us the Second Amendment (the Amendment that protects ~~us from~~ all the others). "Diamond" in the conspiracy against THE GOOD DOCTOR known as Diamond et al (the Obstruction of Justice conspiracy in 2:19-cr-00356-PD-1) is gone. All that is now left to be determined



(In This classic battle between Good v Evil) is who are and what will be the negative consequences that will befall those that are the "etal" in the Diamond et al conspiracy. While we might be inclined to show mercy to those conspirators in this Obstruction of Justice case perpetrated against me, we must balance that mercy with true deterrents (that will be the key to preventing "the midgets" from doing whatever the Hell their demonic heart desire as they have been). This is the case, there are no other cases. The Good Doctor caught the Evil Son of a Bitch Bastard red handed and he's gone. Additionally, there will be Hell to pay for all those part of the "etal". Not a Threat - just a promise. All patriotic Americans need to hold those public officials' (who refuse to steadfastly and adamantly ~~refuse to~~ both enforce and (in good faith) properly interpret "The Rule of Law") feet to the fire. The trihead nefarious alliance of the DOJ/Health Insurance Companies and BIG PHARMA wanted to lie and paint THE GOOD DOCTOR as THE GOODY BAG DOCTOR (the worse that ever was) despite the fact (i.e. the inverse of their PROPAGANDA NARRATIVE) that he



- Took care 109,000 patients in the hospital (with 1000's of them being treated for free)
- participated in a number of medical missions
- coached 25 sports teams and was the camp doctor for twelve plus years (mentoring 100's if not ~~1000's~~ of our youth)
- was a big brother etc... etc...

FYI- It wasn't until I came to prison that I came to realize that it is the heart ~~for~~ <sup>for</sup> more so than the brains that makes a doctor and I ~~am~~ am a doctor and forever will be.

While I made a lot of money there is no factual basis that I ever violated any criminal statute ever let alone the 42 counts I was indicted on. Diamond, as his primary responsibility, was to protect me (the weak) against the strong (Powers-That-Be). Rather than do that courageous act he did the cowardly thing and joined those powers in the beat down gang bang of THE GOOD DOCTOR- joined in on the ~~for~~ <sup>fray</sup>. Giving Diamond the benefit of the doubt it is quite possible that he initially (in large part because of his biases against defendant's before him in his court during HIS REIGN OF TERROR) didn't realize that the GPM was totally non-factual. As fantastic as that might seem (in that the government not only couldn't produce a Rule 16 report from an expert



Pain Management Witness attesting to either the (15) illegality (the non-medically legitimacy of my medical disbursements from my pharmacy or my prescribing of opiates (violating the CSA) that initial possibility of not knowing (consciously) that the Government's case was 100% fictitious/concocted sciences. How could that be you might ask? Answer is because of Diamond's profound BIGOTRY / INNO-CENCE / BIAS. While Will Rodgers never met a person he didn't like, apparently Judge Paul S.S. Diamond has never met a defendant that was innocent (which may have played a prominent role in one never (allegedly) being acquitted in his courtroom during HIS REIGN OF ERROR). Yet, over time in the two plus years ~~there~~ when I fought my case from FDC Philadelphia (a maximum security facility) I was able to prove to the Court that the Court, had indeed, accepted a 100% non-factual pleading based on the Government's Discovery which failed to uncover even one scintilla of evidence indicating any guilt of mine or even one of the forty-two counts I ~~was~~ <sup>was</sup> indicted on. While I did factually prove that the Government pleading was non-factual to the "Court's satisfaction." Their acknowledgement of that truth <sup>however</sup> was a covert acknowledgement rather than an overt acknowledgement.



That covert acknowledgement can be clearly shown <sup>in</sup> (16)

1 — Diamond (in his words at hearings and in his rulings) <sup>That he</sup> initially purported that a) The pleading was factual — which he later backtracked onto <sup>say b)</sup> I thought the pleading was factual — which ended up with Diamond <sup>later</sup> proclaiming that c) it is "POINTLESS" for the Government to have to provide a Factual BASIS to Berkowitz's pleading of 1/24/20 since he already pled (as written in his ruling denying my attorney Jeff Feiler's motion <sup>to</sup> compel ~~the~~ the DCS to produce that factuality). Diamond made this fascist ruling (which is as fascist as it gets) in his ~~order~~ <sup>ruling</sup> /order in document # 331 page 4. Honest to God he did so. He did so with the same degree of horse's ass hubris as the Emperor with no clothes strutted around the Palace as a proud Peacock <sup>would</sup> believing that his invisible clothes were the most elegant in all the land. He was <sup>in effect</sup> stating, in the light of day, that because he errantly accepted a totally NON-FACTUAL pleading that he was now (in his courtroom) going to establish a new precedent. We should call that new precedent the Dishonorable Paul S.S. Z Diamond precedent. That precedent (for time immemorial) would be that should a <sup>very</sup> Fascist Judge (unconsciously) illegally accept a NON-FACTUAL pleading that was extorted



(truly "ill gotten") Then The Court should <sup>subsequently</sup> double down on that Fascist action by obviating the DOJ from ever having to provide factuality to their case. I gave Diamond multiple opportunities to cure his malfeasance of accepting my NON-FACTUAL GPM but instead of curing he chose to "double down." X Instead of correcting and doing the truly righteous he was true to his unrighteousness and his master (SATAN). Instead of being thankful for that opportunity to cure he was angrily incensed that I exposed his lawless acceptance. The fact that I was fascistically being prosecuted and persecuted meant nothing <sup>to him</sup>. It's all (and always) <sup>the narcissist</sup> about Diamond. The fact he knew I was innocent didn't deter him <sup>at all</sup> from stealing every penny I ever made and giving me (THE GOOD DOCTOR) a virtual life sentence (20 years to a sickly 60+ year old). There is (factually) evil and evil people in the world (as there is SATAN). ~~IN~~ In previous filings I effectively proved <sup>by using</sup> ~~that~~ the science of psychology (as purported by the criteria established by psychiatrists Fromm/Peck and Jung) <sup>that</sup> Diamond scientifically satisfies all the criteria <sup>classified as</sup> for being an evil person. In fact, as far as the evidence shows, the majority of evil people have sublimated their evilness and have worked their way into society in various positions. Should you doubt my assertions <sup>here</sup> to such you can research the factuality of these



assertions in Mr. Scott Peck's "National Best Seller" "The People of The Lie." Diamond's injury to his pride (in his mind) and his desire to cover that embarrassment up from the public off having factually, legally (erred) was more important to him than factually setting the record straight as "The Rule of Law" demanded he must. In review, Diamond's shifting his narrative from a) The Pleading was Factual to b) I thought the Pleading was Factual to c) It doesn't matter that the Pleading wasn't Factual is an a/b/c scenario which amounts to a covert admission by the Court that I had proven to the 'Judge's' satisfaction that the case brought against me by the DOS was factually **NON-FACTUAL**.

- 2- At sentencing Judge Diamond didn't assert that I was guilty of the statutes charged with. All that he did assert was that I made more money than a doctor "should" (in ~~HEIR~~ DIAMOND's belief) Another covert confirmation <sup>as to</sup> the **NON-FACTUALITY** by the Court
- 3- Diamond's burying of Document #198 (THE IMPEACHMENT DOCUMENT) by him and (the soon to be FIRED) Clerk of Court Kate Barkman is just one more "tell"
- 4- Diamond destroying circa ten of my motions (to be followed by his failure to recuse, followed by his refusal to SUBPOENA THE LOG BOOKS). That were exculpatory to my legal and factual innocence (a true Brady violation by the Court) were <sup>all</sup> actions that covertly SCREAMED of the **NON-FACTUALITY** of my pleading



Diamond must go. The only question that remains (19) is who will he take with him? I am ~~is~~ filing a complaint against Diamond with The Office of Professional Responsibility at 950 Pennsylvania Avenue Washington DC 20530 USPS tracking number 7020-3160-0001-7672-7300 - The file was opened on 3/4/24 electronically. Should you focus and really listen to what people are saying they will "tell" you far more than they <sup>had</sup> intended to. That's what Diamond has done in this case ~~and~~ I heard him loudly proclaim in my case (over and over again) that he now realizes (~~he~~ is 100% sure) that the Government's case against is/was/ and always will be NON-FACTUAL. On the previous pages I have clearly elucidated and elaborated on just four of these times that the Court acknowledged (albeit a thinly veiled covert acknowledgement of such) that the ~~case~~ <sup>case</sup> against me was completed concocted by the FBI and DOJ lacking any factual basis. <sup>It</sup> was such lacking <sup>there being</sup> any evidence against me indicating any criminality at all towards the charges I was indicted on.

As I <sup>previously</sup> said - I'm filing a complaint against Diamond with The Office of Professional Responsibility. In time I will do so for the equally corrupt AUSA and FBI lead agent (Mary Beth "LYING" LEAHY The former and Bryan "Fulbright" Lacy the <sup>later</sup> Third Circuit's equivalent to Strock and Paige). Of course, I'm hoping that I need not file similar complaints on anyone else who is part of the Diamond et al conspiracy. But being a true WHISTLEBLOWING patriot I will do such for anyone who aids Diamond in ~~un~~covering up his malfeasances (a true obstruction of justice) that he LITERALLY



shred a number of my filings that were exculpatory<sup>20</sup> to my factual innocence. In this case there will be no "SWITZERLANDS" (nor any plausible deniability for any as to ~~not~~ <sup>their having knowledge that Diamond committed true</sup> ~~having plausible deniability for Diamond's~~ crimes). All the officers of the Court will be categorized as being in one of the following two groups  
 a) to be part of my "coalition of the willing" who are devoted to letting due process play out so that justice is delivered to all (the guilty and the innocent) in this historic landmark case  
 b) the second to consist of those who either through <sup>their</sup> actions and their refusal to follow their sworn vows and act joined the "et al" of the "Diamond et al." conspiracy.

As long as I live (and breathe) I promise to be a faithful patriot to my country and <sup>have</sup> ~~help~~ all the conspirators of Diamond's lawlessness be held accountable.

b) After <sup>his</sup> accepting my NON-FACTUAL ill gotten pleading (as mentioned earlier) Judge Diamond  
 1) Destroyed circa ten of my exculpatory filings to my innocence (his destroying at least two of those filings post denying my motion to SUBPOENA THE LOGBOOKS is "as fascistly arrogant as it gets")  
 Father than post those filings on my ~~criminal~~ <sup>criminal</sup> PACER docket as the Rule of Law demands



2) Failed To recuse himself despite The Rule <sup>(2)</sup> of Law in 28 U.S.C 455 demanding he do such Diamond was determined not to recuse himself (or be forced off my case) Since doing such would not allow him to KILL any investigation into the missing filings. Diamond knew that should he recuse himself that any Federal District Court Judge in the country (other than the Chief Shredder) would willingly / willfully grant my motion to SUBPOENA THE LOGBOOKS. Those other Judges would do such in order to avoid being improper (or at a minimum giving the entire public reason to believe that something done in the Eastern District was improper i.e the appearance of impropriety). Additionally, should he <sup>have</sup> no longer been in that position of power, then it would be almost inevitable that another District Judge would have granted this WHISTLEBLOWER the "Change of Plea Motion" that "The Rule of Law" demands be "FREELY GRANTED." His intuition told him that

① Another Federal District Judge would grant me that Change of Plea motion simply based on the FACT that the DOS was completely non-factual / the DOS never found one scintilla of evidence indicating guilt on my part for any of the 42 counts I was indicted on

② Should the WHISTLEBLOWER be returned to the "outside", it wouldn't be long before he was impeached



or forced to resign and disqualify me for this criminal action. Allowing "Due Process" (and justice) to occur in my case is apparently something that is now and forever will be adversarial to Diamond's Agenda and something he was determined not to allow happen. The proof is in the pudding. That can be clearly seen in Diamond's denial of 100% of the 250+ issues (motions) that we presented to him that were advocational as to my innocence (many of those issues were completely unopposed by the Government). He denied 100% of our motions/assertions even though I am 100% irrefutably demonstrably innocent. All 250 assertions done <sup>with the intent</sup> to try to prevent me from being wrongfully convicted. Once I am able to gain access to the Grand Jury instructions they unquestionably will be found to be inappropriate. I will procure those instructions due to the BLESSED Freedom of Information Act. Up until now for the last three plus years the DOJ has refused to send me The Grand Jury Testimony (The Secret Grand Jury Testimony) with those jury instructions. I'm convinced that the Grand Jury Instructions will be lawless. I say such because of Mary Beth "LYING" Leahy's WRITTEN assertion on page 16 of document #301 that statement inadvertently revealed (in the light of day) that Leahy was either pretending not to know or actually didn't know the statute for health care fraud. There is little reason to believe that she correctly informed the Grand Jury as to the health care



Fraud statute when she ~~misstated~~ grossly 23  
 misstated it in document # 301 page 16. Having  
 no evidence as to my having committed health care  
 fraud she decided to simply invent her own health care  
 fraud statute (the Mary Beth Leahy statute). A classic  
 "bait and switch." Without a health care Para Management  
 expert to testify to my disbursements as being medically  
 illegitimate, that made it essential for her to rewrite  
 the statute. Evil is as evil does do. She decided to  
 bait the Grand Jury with her lies/half truths and  
 innuendoes and (with no one looking) switched her  
 statute for the real statute.

3) Diamond failed to grant my motion to SUBPOENA  
 THE LOGBOOKS. Diamond being "as lawless as it gets"  
 denied such motion because he was the primary  
 suspect rather than despite his being the primary  
 suspect in the who did it (the destruction of those  
 exculpatory motions). Unfortunately for S.S. Diamond  
 I have decided NOT to follow my lawyer's advice.

Jeff Ferler advised me to go easy on Diamond since  
 he knows just what <sup>THE NEWS REUS</sup> he did. Such is Jeff Ferler who  
 has failed <sup>his duty</sup> to be a true Officer of the Court and  
 failed to be my advocate (let alone my zealous advocate)  
 All realizes that these LOGBOOKS are the "smoking gun"  
 in my case and are undeniable evidence of the  
 judicial malfeasances in this case. The DOJ is refusing  
 to investigate Diamond based on their "wink and a nod"



agreement that they will refuse to ever investigate any alleged misbehaviors of ~~you~~<sup>his</sup> (in a quid pro quo transaction) should ~~be~~ rule ~~on~~<sup>on</sup> their behalf north of 99% of the time irrespective of whether their position is in harmony or not in harmony with "The Rule of Law." The destruction of my exculpatory filings is undeniably a Brady violation of sorts.

c) Diamond has steadfastly refused to rule on any of my motions put forth in the last 7 months. Below is a short list of but some of the motions he was refused to rule on

1) In his order in document # 429 he ruled that the following motions were "IMCOMPREHENSIBLE" to him. Those motions (some of which I will list below) were all enclosed in my filing now known as document # 428 on the criminal docket - He refused the below motions due to their incomprehensibility

a) Motion to forever preserve the logbooks and the videos at FDC Philadelphia. The logbooks prove the lawlessness of Diamond. The videos showed severe mistreatment of me by the CO's at FDC Philadelphia. The Counselor on that unit warned his units Case Manager and Unit Manager that they need to do something for <sup>help</sup> me otherwise they could all get in trouble since their actions were all being caught on camera

2) Motion to SUBPOENA THE LOGBOOKS. Once I receive those LOGBOOKS and they show what they will show then we'll see who believes it to be "IMCOMPREHENSIBLE" Before Diamond starts using big words like "INCOMPREHENSIBLE"



he should first look them up in the dictionary to make sure he knows how to spell them\*\*

3) Motion to get my lawyers back on the case, since my lawyers lawlessly withdrew. My lawyers pretty much quit on me in mid-February 2022 and officially withdrew from the case on April 4 2023. In a Dear John email they sent me (which I supplied to the court as an exhibit with my INCOMPREHENSIBLE filing number 428 on my criminal docket). FYI= Since losing my Appeal (and even since my sentencing of May 9 2022) my two attorneys (Wardner and Feiler) have refused to call me even once. Neither of my attorneys followed proper procedure for withdrawing from my case. Seeing how Fascist Judge Diamond is (who had complete and utter disdain as to my civil right to have representation from a lawyer) they knew that in Diamond's court (during THIS REIGN OF TERROR) they could do whatever the hell they wanted. Both of my It'sy-Titsy lawyers from South Beach (who both signed retainer agreements <sup>agreeing</sup> to do whatever <sup>was</sup> needed to be done (including going to the Supreme Court) i.e. Jason Wardner only does Appeals and was ~~signed~~ <sup>hired</sup> by me to <sup>specifically</sup> guide me through the Appeals process). The judge, the DOS, my attorneys and myself ~~both~~ all know that considering the contracts I signed with them they both had a fiduciary and contractual obligation to defend me UNLESS the judge dismissed them from the case. As you see here so far and will see more so in the next couple pages that S.S. Judge Diamond didn't refuse



to answer my motions because they were <sup>resulting in</sup> ~~IN~~COMPREHENSIBLE or INCOMPREHENSIBLE. Let the truth be known that he didn't answer my motions because they were too COMPREHENSIBLE ~~and~~ <sup>there was</sup> being no ruling <sup>that</sup> he could make to those motions that would further his DEMONIC DIAMOND AGENDA <sup>so</sup> that I <sup>would</sup> die in prison a hapless, hopeless, broken penniless man. Being that Wandner was my attorney of record, signed a retainer agreement and was up to date on my payments Wandner had to remain on my case unless the Judge permitted for him to withdraw. I had told Wandner (via email) that I wanted to make <sup>Criminal</sup> Diamond's bias against me (as demonstrated by his obstruction of Justice malfeasances) <sup>as</sup> the central focus of my Appeal to the Court." Wandner <sup>had</sup> wrote my reconsideration to the Appeals Court as a pretext to his writ of Certiorari. However, when I insisted on his being a true Officer of the Court and report Diamond's malfeasances, he took the money and ran back to South Beach. He did so before finishing his filing to the Court. He did so prior to his answering the DoJ's Garnishment motions. The DoJ allegedly sent their motion to Wandner to give me/them a chance to respond. That motion that was allegedly sent to Wandner gave my defense team until 4/11/22 to respond. On 4/21/22 after no response from my lawyer team the DoJ submitted their motion for Diamond to execute the Final Garnishment on 4/21/23. They did so knowing that my lawyers had officially abandoned me in Early April. My lawyers clearly lawlessly abandoned me having 100% assuredly that Diamond would completely condone their lawlessly abandoning me (in complete disharmony with the Rule of Law)



Wandner and Peller were spot on here. Diamond

- completely condoned their lawlessly abandoning me and in doing such violating their fiduciary and contractual obligations to me. Clearly at some point radical condonation be-
- when I ~~caught~~ <sup>caught</sup> Diamond's looking the other way (when <sup>comes</sup> ~~complicity~~ <sup>comes</sup> my lawyers lawlessly abandoned me), I brought their action front and center to him in that 7<sup>th</sup> motion to him in document # 428. I did so, so that Diamond could not claim plausible deniability. To ~~his~~ <sup>bring</sup> bringing my lawyers' malfeasance to Diamond's <sup>attention</sup> and asking him to ~~care~~ <sup>have the court care</sup> ~~Diamond~~ Diamond responded "INCOMPREHENSIBLE." NOT IMCOMPREHENSIBLES but TOO COMPREHENSIBLE.

#### 4) MOTION TO UNDO The Garnishment Order

As stated previously, I was lawyerless for weeks (officially) and probably for months (unofficially) prior to the Final Garnishment Order being executed. I was notified of what was done late May 2023. When I was sent the Garnishment documents by the Dos. Upon reviewing them it becomes clear to me that the Dos took circa 500,000+ too much money from my retirement accounts. The Dos lied to the Judge about how much they had in frozen <sup>money</sup> accounts and how much more they needed to Garnish. They told the Judge that they had 1.7 million in frozen dollars when in reality they had 2.2 million. Diamond had sentenced me to 4.0 million with no interest. The Government took 4.5 million. All is clearly laid out in my very, very comprehensible motions in document # 428. Since I lacked representation (both lacking pro se and paid lawyer representation) ~~and~~ lacking that representation clearly had a huge material effect on my finances, my motion



To undo the Garnishment is not only comprehensible (28) but would immediately have been done in any other U.S. Federal District Court in the land (as The Rule of Law DEMANDS). In review, DOCUMENT #428 had a number of motions with four of them being <sup>not only</sup> very, very comprehensible but also <sup>substantive</sup>

① Motions to preserve both logbooks and videos from FDC Philadelphia - which apparently he didn't do and still does need to be done ASAP

② Motion to Compel my attorneys <sup>back</sup> to my case - which I know he hasn't done

③ Motion To Subpoena The Logbooks - which is presently being Appealed (it is before The Third Circuit Court of

Additionally I am concurrently pursuing <sup>such</sup> through The Appeals Bob's Freedom of Information Division

④ Motion To Undo My Garnishment Order of 4/21/23

I believe that 99% of Federal District Judges would grant at least three of the four above stated motions.

Furthermore, I believe that 0% (other than The INCOMPREHENSIBLE Dishonorable Judge Paul R. S.S. Diamond AKA The "GOAT" of all Fascist Judges and the Chief Shredder of The Eastern District) would fail to understand any of the above mentioned motions. Too Comprehensible rather than NOT Comprehensible.

In Diamond's Order/Document <sup>#432</sup> he DENIED my motions that are in <sup>document</sup> #431 and DENIED such as INCOMPREHENSIBLE (he spelled it correctly this time) In #431 I wrote a variety of motions that included

① An Evidentiary Hearing to explore - The FIRING of Kate Barkman (Diamond's Chief conspirator in the Diamond et al Conspiracy) designed to uncover -



- To find out the who/how/why ~~she~~ <sup>she was</sup> fired post (29) (within two weeks) of my sentencing.
- her golden parachute retirement package" for agreeing to fall on her own sword and not WHISTLEBLOW
  - ② Motion To Obtain All The Grand Jury Testimony (Especially that including The Jury Instructions)
  - ③ Motion To Obtain Judge Paul S.S Diamond's Track record on his rulings of Change Of Plea, and Ineffectiveness Of Counsel, <sup>motions</sup> "Change Of Plea Motions by The Rule Of Law" SHALL ~~to~~ be FREELY GRANTED. Ineffective Assistance Of Counsel motions are to (according to The Rule Of Law) are to be sometimes granted. I've been told, from people who would know, that in twenty years Diamond has never granted either a "Change Of Plea Motion or an Ineffective Assistance Of Counsel Motion. I asked the Court (and I will in the future be requesting that <sup>he supplied to me</sup> those records/statistics from the Government by requesting such through the FOIA) to send me those very pertinent records/statistics in that motion in filing # 431
  - ④ Motion To Explore Judge Diamond's Malfeasances in General and his Obstructions Of Justice in shredding my circa ten Pro Se Litigant Filings
- NOT INCOMPREHENSIBLE but too Comprehensible
- I have no idea how many of the four above <sup>mentioned</sup> motions would be granted by other Federal District Judges. However, once again, I am ~~both~~ hopeful (and suspect) that 0% of those Judges would find any of the four as Incomprehensible and 100% of them would rule on all of them. Diamond has DWB in his heels and sticking to his strategy - his INCOMPREHENSIBLE strategy to



(30)

deny me my due process rights. Diamond purposefully mislabelled document #434 as a Pro Se letter when he, me and the mailman knew they were motions. He did such labelling because I mocked his previous document/orders of #429/432 for their Fascist declarations that the orders in #428 and #431 were INCONPREHENSIBLE (also to hide my motion to Sanchez to remove him). In document #434 I made the following motions:

- ① Motion For Judge Sanchez To remove Diamond today or resign his position and Appoint Another Chief Justice who will do the job Sanchez is refusing to do
  - ② Motion To Depose My Attorney Jeff Ferler To Inquire why He said to me - Go Easy On The Judge, He knows what He Did
  - ③ Motion To sanction Both of My Lawyers - Jeff Ferler and Jason Wandner For Lawlessly Abandoning Me In My Case
  - ④ Motion To Depose Lowther and Walker so As To Determine why They Suddenly Changed Course on 8/31/21 and Withdrew Their Change Of Plea Motion (and coerced me to accept their decision to do such)
- ~~In document #434 I made two motions~~

⑤ Motion For Judge Diamond To Explain His Current Position As To The Subpoenaing Of FDC's LOG Books. In December of 21 I put in my Motion To Subpoena The logbooks. In early 2022 Diamond denied that motion stating in his ruling that he didn't need to subpoena them since HE filed all of them. But HE wasn't supposed to be poking his FASCIST nose and face into that issue. The Rule of Law doesn't allow for Judges to be involved in the decision making (or actually doing the actions of) of choosing what gets to be posted and what doesn't



(311)

That was to be the exclusive job of the recently fired ex-Clerk of Court Kate Barkman. Kate Barkman was given the exclusive duty to post All Pro Se Litigant Filings and my Judge wasn't supposed to be involved at all in deciding what gets posted and what doesn't. (Nor was he to be involved in doing any of the posting.) It would have been better for All Pro Se Diamond were the one who was fired rather than Barkman.

Why does the low hanging fruit always pay the price as a scapegoat rather than the high hanging fruit that is factually the most culpable? Post denying my motion to SUBPOENA THE LOGBOOKS Diamond destroyed at least two other filings. Because of such I resubmitted my motion to SUBPOENA THE LOGBOOKS in document #428 during the first time I put that motion in he ruled as stated 6/23 above (in my aforementioned statement). Now he has <sup>changed</sup> ~~has~~ <sup>#428's order I</sup> ~~have~~ <sup>no</sup> comprehension as to what you're talking about in your present motion to SUBPOENA THE LOGBOOKS. This MOTION (not a Pro Se letter) was DEMANDING Diamond reconcile his two different rulings to my two different motions to SUBPOENA THE LOGBOOKS. It <sup>was compelling</sup> ~~was compelling~~ Diamond to explain why he is given two different answers to the same question when asked at two different ~~times~~ times.

Once again, while it's hard to know what percent of Federal District Judges would grant me the above five different motions I would hope that 100% of those Judges would both comprehend those motions and rule on all of them.

In Document #448 I made two motions



① Motion To Grant Me My Two Point Reduction That

The Rule Of Law Demands

② Motion To Recuse The Judge

Not Incomprehensible but too comprehensible.

I am the "poster child" for the two point reduction. None of the criteria to exclude me are applicable to me or my case. I am over 60 and charged with a non-violent "victimless" crime. I am presently in the "low" at Fort Dix. As soon as I get my two point reduction I will be moved from the low to the camp. Clearly, I am at much greater risk of being physically and/or emotionally harmed in the "low" than in a "camp." Yet, Diamond being Diamond (the SOB & Bastard), refused on 1/2/24 to grant me that two point reduction. Once again, he ruled that my motion was "INCOMPREHENSIBLE" (seen in Exhibit "G"). Diamond dismissed (without prejudice) and apparently is planning to continue to do such as long as he is on the bench and he is my presiding judge. Fascist is as Fascist <sup>for that reason</sup> does. I have just recently put in an Appeal to his ruling that my motions in #448 are "INCOMPREHENSIBLE." Not only is he claiming they are INCOMPREHENSIBLE but he has added a new (kinda retarded) wrinkle to his ~~FASCIST~~ Rolodex of Fascist rulings). He stated that the "purported" motions are INCOMPREHENSIBLE. I'm quite sure that Judge Sanchez will find this filing here to be too comprehensible far more so than "INCOMPREHENSIBLE." The proof is always in the pudding. Devil Diamond sent me on a 5+ month diesel therapy tour to get a mental capacity exam. He did such allegedly to see if I would be found in the bottom



2.5% (two standard deviations from the mean) which would disqualify me for being a Pro Se Litigant or participating in my defense. Low and behold, I finished in the top 1%. Golly. I'd bet a dollar to a doughnut after seeing Diamond's rulings (which proved him to be not the sharpest tool in the shed but certainly the most crooked one) that ~~we~~ <sup>should we both given a</sup> mental capacity exam I would score significantly higher than him. If Judge Diamond genuinely finds my filings to be INCOMPREHENSIBLE than as far as the evidence shows he finds such because of his mental deficiency ~~and~~ not mine. Going forward I will be appealing a number of Diamond's INCOMPREHENSIBLE rulings. I presently have two Appeals before the Appeals Court (I'm appealing now two of Diamond's INCOMPREHENSIBLE rulings)

- a) TO SUBPOENA THE LOG BOOKS
- b) TO GET MY TWO POINT REDUCTION and TO REUSE THE JUDGE

Diamond won't rule on any of my motions. That being said that will mandate me Appealing such to the Third Circuit Court of Appeals. It is unfair to the Judges of the Third Circuit Court of Appeals that they will in essence be required to do the work on my case that the Federal District Court Judge ordinarily does. They (the Judges of the Third Circuit Court of Appeals) have enough work of their own then to have to do the work of the Eastern District's Federal Judges. This motion here is an "opportunity to cure for Chief Judge Juan Sanchez to place a true real Federal District Judge on my case. Doing such is demanded by The Rule of Law. i.e. that each Federally convicted Inmate in the BOP is assigned a Federal District Judge to his case. In addition to achieving that "Rule of Law" requirement of The Eastern District,



Judge Sanchez by removing his good buddy S.S. Diamond from his position as the Federal District Court Judge, Sanchez will be performing a truly kind act for those Judges on the Third Circuit Court of Appeals. In removing Diamond he will be alleviating the Appeals' Judges in my case of the burden of acting as both my Federal District Court Judge while also serving as my Appeals Court Judge. Should Sanchez not care less about my Civil Rights being trashed in his Eastern District by S.S. Diamond perhaps his hardened heart would be at least capable of being empathic for those comrades of his in the Third Circuit Court of Appeals? Perhaps? Certainly those Appeals Court Justices are in a difficult position (between a rock and a hard place). On one hand they need to support their crazy delusion that they are saving America [rather than the truth that they and their fellow Judges represent one of the greatest threats to its citizenry's freedom) <sup>in their</sup> ~~by~~ convicting north of 99% of those indicted by the Ham Sandwich Indicting Grand Jury (who in these Judges' mind indict only guilty Ham Sandwiches) and denies 98.3% their right to trial] by following "The Rule of Law." ~~and~~ On the other hand these Appeal Judges are desperate to save the career of their chief shredder of the Eastern District the very Dishonorable Judge Paul S.S. Diamond. Quite a perplexing conundrum for the Third Circuit Appeals Judges I must say.

a) Diamond not only refused to recuse himself (as the Kensington International Precedent set by his own Circuit's "Rule of Law" demanded) but he has done all he



could to prevent me from having his supervising gatekeepers from removing him as my Judge. This assertion is unquestionably true being that

- he imprisoned me for twenty years (it is more difficult to have a judge removed should you be in prison without a phone or internet or a computer and should you be branded a criminal worthy of a draconian sentencing)
- he buried my motion in document #434 by defrauding the court in labelling it as a Pro Se letter rather than presenting that motion to Chief Judge Sanchez (the motion asking Sanchez to remove Diamond as my Judge) This collusion by Clerk of Court George Wylesol and him is discussed at length in my cover pages 1-4 in this filing
- his refusal to SUBPOENA THE LOGBOOKS

e) Diamond sent me on a 5<sup>th</sup> month beat down diesel Therapy tour of America's worst prisons during the middle of the Pandemic unvaccinated to gain the favor of his leader SATAN.

This testing (the mental capacity exam) was not needed. My test results prove so much being that I didn't finish in the bottom 2.5%. The main purpose of



this test is to <sup>designed</sup> separate the people taking it ~~the test~~ into two groups. The first group being the top 97.5% that are <sup>factually</sup> competent and the bottom 2.5% that aren't. Those that are incompetent are disallowed the option of becoming their own Pro Se litigant and are <sup>additionally</sup> deemed incapable of participating in their own defense. The "Due Process" procedure for those <sup>declared</sup> incompetent are quite different than those categorized as competent. Thus the need for testing those that are either factually incompetent and those who prove to be <sup>factually</sup> competent but <sup>were</sup> bordering on incompetency. An intelligent real "just and fair" judge may test the bottom 10% to see if that defendant falls in the bottom 2.5% of those that will be labelled as factually and legally not competent. Only those judges <sup>would ever think to</sup> who are <sup>EVL</sup> factually SOB Bastard Fascist Judges utilize that test as a means to breakdown Pro Se litigant defendants (regardless of their factual innocence or guilt) from that mental capacity testing I finished in the top 10%. Need I say more about the nature of the very dishonorable Paul S.S. Diamond and HIS REIGN OF TERROR. Not only was his having me tested for my mental capacity a thinly veiled excuse <sup>"following"</sup> Diamond to do a beat down on me, but it was not necessary that he send me outside of FDC Philadelphia to get that testing



(37)

Prior to the epidemic 30% of said such

testing was done in-house. During the epidemic,

however, as far as I can tell well over 98% of

said such testing was done in-house at FDC Philadelphia.

That however would have not achieved Diamond's true goal to destroy me.

Should Diamond have allowed me to be tested in house

that testing would have

- taken but 1-2 days rather than the 5<sup>th</sup> months it did take (which also resulted in my case being delayed over 9<sup>th</sup> months for that completely unnecessary testing)

- cost well less than it costs in dollars than it did to send me on that 5<sup>th</sup> month testing (south of 10% of the cost of sending me out)

- been done by true professionals who test objectively who have no allegiance to Diamond's demonic agenda. My test was done by Diamond's (hand-picked) henchwoman Dr. DiMissa. Much of her testing

was subjective (allowing her to make up some of the results). I requested twice and

argued <sup>with</sup> her for over 5 minutes both times

in regards to her REFUSAL to take the parts of my test that were subjective. Unquestionably

it is the standard procedure to take such sessions should the results be <sup>possibly</sup> presented to the court. All true professionals do such. When I questioned her as to why she <sup>was</sup> refusing to follow



routine professional standards she sheepishly (38)  
 responded that her boss gave strict instructions  
 that when the BOP performs a mental capacity exam  
 that those subjective portions ~~of~~ the test should  
 never be taped. She went onto volunteer that  
 should she choose to violate that policy of her  
 boss' that she would be severely punished - i.e.  
 subject to harsh disciplinary action <sup>for violating that</sup>  
 - Having it done in-house would be <sup>written in stone policy</sup> infinitely  
 safer for my welfare than sending me in close  
 contact with literally 1000s <sup>unvaccinated</sup> of convicted felons  
 with me too being  
 unvaccinated in the middle of the epidemic.  
 Not surprisingly I contracted COVID (as did  
 100% of all inmates who were <sup>also</sup> sent to a variety  
 of prisons)) ~~and~~ I was <sup>taken</sup> seriously ill and constantly  
 refused the right to see a doctor ~~either~~  
 of the BOP or outside the BOP. Fortunately  
 I didn't die. Yet (being a doctor) I'm sure that  
 should I've been sent to an ER (that because of  
 the severity of the infection <sup>coupled with</sup> ~~and~~ my multiple  
 medical problems), I would have promptly been  
 admitted to the hospital (even though I was a convict)

F) Diamond was not concerned that AUSA Leahy  
 - extorted me to falsely plea by extorting me on a  
 THIRD DEGREE MURDER CHARGE



- had no understanding of what the health care <sup>(39)</sup> statute was. Of course, that "misunderstanding" was the <sup>essential</sup> essence of their case against the GOOD DOCTOR. They switched the statute to be whatever they wanted it to be. In filing #301 page 16 Leahy declared the evidence was OVERWHELMING. That was SATAN'S OVERWHELMING (evidence of guilt) which translated to the Lord's non-existence of guilt <sup>(the lack of any)</sup> or evidence to my being guilty of any of the counts for the 42 that I was indicted on). That "switching" of the statutes' meaning was essential to their winning. Their winning <sup>to them</sup> meant <sup>that the</sup> in case 2:19-cr-00356-PD-1 that there would be the replacing of God's truth with the Government's <sup>They did such with the</sup> Propaganda Narrative. ~~which they were~~ hoping that I would receive the Devil's mercy rather than God's Justice. Because I believe in God that necessitates that I <sup>should</sup> believe in the Devil also. God's existence *Prima Facie* proves that the Devil does also. The Devil needs to work through people and this case proves as much.

In the previous portion of this motion I have presented but a fraction of the evidence that a just and fair



occurred ~~FACTUALLY~~ in my case proving the necessity for Judge Diamond to be removed as my presiding Judge of God's Speed. I have consciously refrained from providing the entirety of my case proving that need out of respect for the Court's intelligence and time. I have refrained from such to comply with the convention that this filing be a "legal brief." While this filing contains not a fraction of the evidence it includes ten times more evidence than a "just and fair" Judge would require to understand that Diamond needs to be replaced as "The Rule of Law" (i.e. 28 U.S.C. § 455 and the Third Circuit's Kensington International Precedent) DEMANDS such occurs.

Once again, Any justice, judge or [magistrate judge] of the United States SHALL disqualify himself in any proceeding which his impartiality might reasonably be questioned. In Kensington <sup>the Third</sup> ~~set~~ <sup>set</sup> the bar for recusal as low as possibly could be in their ruling. A ruling that followed 455 that stated 'should a reasonable person knowing all the relevant circumstances (and the phrase all the relevant circumstances mandated that my legal brief not be that, that brief) conclude that the Judge's impartiality might reasonably be questioned then the Judge SHALL recuse himself. It is ESSENTIAL to note that in order for that Judge to be disqualified



(41)

The record needn't even demonstrate That  
 the Judge has done anything wrong or unethical  
 or unbiased. While Kensington doesn't demand  
 the need for Diamond to be removed based on him  
 doing ANYTHING wrong or unethical or unbiased, anyone  
 with a scintilla of GODFULNESS within them would  
 conclude that Judge Diamond did MUCH that was  
 wrong/unethical and biased. My motion is to simply  
 have him removed as my Judge and that's what I'm  
 asking for. But the Lord our God and Judge Sanchez's  
 vows demands he does more than simply recusing him.  
 The aforementioned Lord and your <sup>sworn</sup> vows to do  
 your job as Chief Judge demands that you not  
 only remove Judge Diamond but also sanction him <sup>(at a minimum)</sup>  
 for doing a plethora of that which is wrong/  
 unethical and biased. All Chief Judges who are  
 GODFULL would and All that are GODLESS wouldn't.  
 Evil does exist and, as far as the evidence shows,  
 Judge Paul S. Diamond is Evil. While you might <sup>CONFESS</sup> scoff  
 at that assertion, said such "scoffing" is a scoffing from  
 the standpoint of bigotry/ignorance <sup>(arrogance)</sup> rather than being  
 knowledge based. Once again, should you be willing to  
 pursue even a remedial understanding of the nature  
 of Evil (and you <sup>not</sup> do such) your scoffing. To - ~~mean~~

~~I have not yet to go to court and about 2  
 the~~



your refusal to gain that remedial understanding (of the nature of evil) shows arrogance and a true dereliction of a Judge's duty that is quite unbecoming. Dr Peck's hallmark description of such in his book "People of The Lie" would be a great place to start in this opportunity to cure a Judge's ignorance <sup>to</sup> having knowledge of the <sup>true</sup> nature of Evil. Simply memorizing statutes (which Diamond failed to do in his total lack of understanding as to what the health care statute was which contributed (with his predisposition towards committing <sup>the</sup> evil destruction of defendants before him) to his acceptance of a <sup>totally</sup> NON-FACTUAL ill gotten pleading)) doesn't give the Judge the wisdom of Solomon. Knowledge of the statutes is certainly necessary for a Judge but quite distant from sufficient. FYI - Wearing The black robe doesn't make one immune from becoming Evil. In fact having the absolute power over another with no <sup>external</sup> deterrents (or supervision of one's behaviour <sup>by others</sup>) to exercising that power will way too frequently lead one down the GODLESS path rather than a GODFUL pathway. Unfortunately, those that have a genetic predisposition towards evil will pursue positions of power in which they will be much more able from that position of power to perpetrate their evil demonic desires on those lacking that power.



(43)

Diamond is Gone. All that's left for us to ~~find out~~ <sup>determine</sup> is who will be take with him. I'm praying for you Chief Judge Sanchez that you'll do the GODFUL thing not the GODLESS. I'm praying for your <sup>very</sup> soul. My sending this motion to you <sup>a second time</sup> rather than going straight to your supervisor Supreme Court Judge (Alito) is for you a blessed opportunity <sup>to cure/</sup> ~~(to you)~~ a courtesy on my part / a solid. Hopefully, you'll appreciate my extending <sup>to</sup> you that kindness / that courteous kindness. Should you remain unconvinced by this motion I would welcome the opportunity to expand on my argument here by giving oral argument and/or further elaborating on my argument ~~with~~ with addendums to this filing. However, we all know that the GODFUL Judges will do the GODFUL and the GODLESS will do the GODLESS and no additional evidence to Diamond's unethical, wrongfully biased behavior will turn a GODLESS Judge towards his following God (and our blessed Rule of Law (which is as good as it gets)).

In review - to summarize - I have presented a mere fraction of the evidence proving beyond a shadow of a doubt the need to remove (and sanction) your comrade in arms the DISTONORABLE Paul S. Diamond. Because he won't do the lawful thing and remove himself, he will need to have someone else do it.



for him. Next Man up Chief Judge Sanchez. Hoping I won't in a month from submitting such to you, ~~I~~ be sending a filing to Supreme Court Justice Alito calling on him to do the lawful righteous act that you should have <sup>done</sup> (with him being the next man up). In this filing I documented <sup>many of</sup> the major reasons for recusal.

- A) Diamond accepted a NON-FACTUAL pleading (pp 7-20)
- B) Diamond destroyed <sup>circa 10 of</sup> my exculpatory Pro Se litigant filings rather than post them as "The Rule of Law" demanded he must (a true Brady violation) (pp 20-24)
- C) Diamond has refused to rule on any of my motions for the last 8 months. Diamond has dug in and decided never again to rule on any of my motions - never again. He has decided it to be a brilliant strategy ~~X~~ to simply declare all my <sup>Pro Se</sup> motions INCOMPREHENSIBLE rather than rule on such. He has done such to clue me in that I Can't Remain Pro Se - that he no longer will rule on any motion in my case if I am a Pro Se litigant. He wants to compel me to drop my Pro Se litigancy ~~and~~ will not rule on any of my motions until I do so. He's hopeful that
- I will do so and then he can intimidate any lawyer I hire to sell me out and to join him in the Diamond et al. conspiracy to deprive me of all my Due Process rights that the 14<sup>th</sup> Amendment affords me
  - if I don't acquiesce to dropping my Pro Se litigancy that his good buddies in the Third Circuit Court of Appeals



will continue to have his back and endorse his agenda to compel me to change my moving forward as a Pro Se litigant. It's hopeful that the Third Circuit Court of Appeals will affirm his FASCIST FIAT bold rulings (lacking both precedent and legal rationales) of my motions <sup>ALL</sup> being INCOMPREHENSIBLE. Should the Third Circuit Court of Appeals do such they will be establishing this Fascist precedent as a Fascist precedent that is as Fascist as it gets in that slippery slope towards complete fascism: pp 24-34

- D) Diamond's burying of my motion to have him removed from my case by Chief Judge Juan Sanchez as ~~withheld~~ <sup>submitted</sup> by me in Document #434 which he and George Wykesol purposefully mislabelled on my criminal docket as a Pro Se letter (pp 34-35) (psychically GUT me)
- E) Diamond's attempt to beat me down by sending me on a 5<sup>th</sup> month diesel therapy tour unvaccinated at the height of the Pandemic intended to deny me my right to become a Pro Se litigant (pp 35-38)
- F) Diamond's being unconcerned by AUSA's extorting me to falsely plea on a fake Third Degree Murder and her ignorance as to what the healthcare fraud statute was
- I fully understand Sanchez's desire to support his Longterm Good buddy Diamond no matter how lawless and how evil he is. Yet, to me that sounds like MISGUIDED LOYALTIES in behavior. This classic battle between Good and Evil. I would agree that in most cases it is a positive to support your buddy. Yet in this case it irrefutably demonstratively would be a SIN of the highest order. I pray in Jesus' name you choose righteousness here



TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

FROM: 77307066

TO:

SUBJECT: Cover Letter for my certified correspondence to

DATE: 11/16/2023 10:32:27 AM

The Powers-That- Be.

I will keep this short but not so sweet

I have chosen to send this letter CERTIFIED for a good reason

The good reason being as to refuse all "The Powers-That- Be" being sent this correspondence any deniability as to their being UNAWARE of my case-- my issue

At the end of the day, I realize that only circa 5% of those I correspond with will be courageous enough to do the righteous thing and fight to uphold "The Rule Of Law."

My certifying these correspondences will end up rewarding POLITICALLY those that join my "coalition of the willing" who wisely decide to do the righteous thing which I will insure will also prove to be THE POLITICALLY SMART thing. While 5% will do the righteous smart thing-- Washington being Washington, circa 95% will do the unrighteous POLITICALLY DUMB thing. Hey, don't shoot me-- I'm just the messenger. There is a legendary axiom/rule of thumb(let's name it "Washington's Razor of logic" in contrast to Ockham's Razor) instructing "rookies" how to better understand how Washington truly operates. Should Washington Operatives make a move that a "rookie" fails to understand/comprehend(wrap their hands around) the logic/strategy of such, that rookie has the option to conclude one of two things about what they've interpreted as "bizarrely incomprehensible actions" by those Washington Operatives. One conclusion that rookie might conclude about those actions that the Operative in question has made was MACHIAVELLIAN brilliant (and above the present thinking of the novice). The second conclusion being that, that action made by those operatives was just plain retarded(for lack of a better word). In the following of the Washington's Razor logic that will dictate that, that "rookie" should choose the "retarded" option over the "brilliant" option. I believe that 95% will pick the unrighteous wrong horse in this kill or be killed battle of Andrew M Berkowitz v USA(Government not the people) 2:19-cr-000356-PD-1. That 95% mentioned will choose to join the cover up of the Obstructions Of Justice by the Federal District Court's Dishonorable Judge Paul S.S. Diamond and by doing so become his co-conspirators. When they do so they will indeed be following what I have outlined above as "Washington's Razor." At the end of the day, ALL will need to pick a side-- There will be no refuge afforded in this case for "SWITZERLANDS." I'm okay if the good representative I'm writing in this correspondence chooses to join my "coalition of the willing" for all the wrong reasons i.e as a smart political decision based on a "for who, for what risk." It will be my pleasure to make sure those that join me will be "rewarded" by their citizenry and those that oppose me will be politically punished. What I am saying here is that I will own the responsibility to have the "COOPERATORS" with my cause receive benefit and punish those that choose to become CO-CONSPIRATORS in Diamond's crimes. We have seen that the power hungry people of the Federal Judiciary Arm of the Government(FBI/DOJ/Federal Judges) erode away at "The Rule Of Law" unchecked by the other two branches of Government to the detriment of the people. This erosion has allowed these people comprising the Federal Branch of the Judiciary to do to the people whatever their DEMONIC heart's desire.

Having been emboldened by their unchecked acquisition of more power than "The Rule of Law" affords them and yet not having their thirst for more power not anywhere near quenched they are now on the move to bully/intimidate those other two branches. The news has recently shown so much with THEM increasingly pursuing incarcerating more and more individuals of those two branches. These prosecutions are occurring despite "The Rule Of Law" not indicating the righteousness of those malicious persecuting prosecutions.

FYI- All future correspondence to you will be sent certified to insure your understanding of my seriousness/fearlessness/dedication to my cause. By doing such that will encourage ALL to do the righteous thing in this case/my case/your case. I believe it would be both appropriate and smart for you to insist that this situation define your legacy as much as anything you ever did during your tenure (as OUR representative in this representative (non-Democratic) Republic). God Bless you all-- every one of you. Once again, let's work together to insure that this case defines your legacy!! PS You might want to make a file of my correspondences that I sent/send you. I plan to sue the Federal Government for over 25 million and your office/official of the Government I am sending this CERTIFIED letter to might be asked to give a position statement as why you did or didn't decide to support The Lawless Powers-That-Be/i.e. Diamond et al.

To gain a much more complete understanding of

-- my irrefutable, demonstrable innocence AND

-- the Judge's irrefutable, demonstrable criminal guilt of committing Obstruction Of Justice in my case AND

-- the Judge's presiding over and directing my case in a way absent of anything remotely resembling "The Rule Of Law" one should review my filings on the PACER criminal docket # listed above. My Pro Se Filings on that docket and specifically document #s 428/431/433/434/436/438/439/440/443 will serve to fill in almost all the gaps that were created in this incomplete correspondence here. While this mailing truly only presented "the tip of the iceberg/a glimpse" regarding my case, those above filings accurately describe "the rest of the iceberg" not included in this correspondence.







B<sub>1</sub>

TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

FROM: 77307066

TO:

SUBJECT: My growing list of those I've written to 4 Relief

DATE: 11/16/2023 10:52:23 AM

In the absence of a proper system of accountability-- checks and balances-- There can be no integrity  
In addition to Judge Diamond having bosses his bosses 1) Both Senate and House Judiciary Oversight Committees  
2) His supervising Judges i.e. Chief Justice of the Eastern District of the THIRD CIRCUIT and the Appeals Court of  
the THIRD CIRCUIT (not to mention "THE COURT") 3) The Administrative Office of the US Courts 4) The Attorney and Inspector  
Generals 5) The President -- his bosses even have bosses-- THE CITIZENRY. I, clearly, in these correspondences (some  
certified and others aren't) am doing my patriotic duty in this "check and balances system" to help insure  
accountability/justice/righteousness/freedom/"The Rule of Law" PREVAIL

I have reached out to the following to plead my case by Certified Mail

Senator John Fetterman 7020/3160/0001/7672/6839 received 7/24/23 and 7008/1830/0000/2667/0516 received 10/10  
Senator John Kennedy 7020/3160/0001/7672/6556 received 6/26/23 and 7008/1830/0000/2667/0486 received 10/6/23  
Attorney General Garland 7020/3160/0001/7672/7218 received 7/17/23 and 7020/3160/0001/7672/6846 received 8/23/23  
Inspector General 7020/3160/0001/7662/7225 received 7/17/23 and 7020/3160/0001/7672/6792 received 8/23/23  
Administrative Office of US Courts 7020/3160/0001/7672/7195 received 7/14 + 7020/3160/0001/7672/6785 received 8/22  
Cong. Jim Jordan 7020/3160/0001/7672/6761 received 8/03/23 and 7008/1830/0000/2667/0479 received 10/6/23  
Honorable Hakeem Jeffries 7011/1570/0001/3118/1179 received 10/10/23  
Congressman Tom McClintock 7011/1570/0001/3118/0691 received 10/10/23  
Senator Cory Booker 7011/1570/0001/3118/0981 received 10/4/23

In addition to the above listed, I've also written all 17 Senators on the Senate Oversight Judiciary Committee twice--  
Once in mid June (a circa 16 page correspondence) and once more in mid July in a follow up addendum (of 5 pages)  
Furthermore, I have started to correspond with several members of the House Judiciary Oversight Committee.

I have initially written a variety of Congressmen on the Committee-the eight members of that Committee (from California)/  
Nadler/Gaetz/Buck/Roy/Escobar/Bush/Johnson/Dean/Scanlon etc.. etc.. in addition to its Chairman, Jim Jordan.

I will continue to revise/update this list as I move forward on my mission to obtain MY Due Process Rights

In the country I live in, you almost never get your Constitutional Due Rights voluntarily-- you gotta snatch it and hold onto it for  
dear life. My outside team is working on their own list of people to help ME form the "coalition of the willing" to do the  
lawful/righteous thing

Admittedly, I was duped by my buying into the GOVERNMENT PROPAGANDA NARRATIVES below

-- No one is above the law in the USA

-- If you haven't done anything criminal you need not ever worry about being indicted let alone convicted

-- We'd rather let ten Guilty Go before Convicting one Innocent when the inverse of that statement is the reality

-- Everyone will be given the right to go to trial and have a jury of their peers determine their guilt or innocence, when the true  
reality is that each year (in the Federal Justice System) is that 98.3% are DENIED that privilege (including myself who has  
fought FEROCIOUSLY for such privilege now for 3.5+ years and continues to despite NO guarantee I will ever be afforded that  
privilege). According to that GOVERNMENT PROPAGANDA NARRATIVE ALL those appointed or elected Government officials

I have reached out to on that list above are good people with mission who have been elected to and sworn to PROTECT the  
CIVIL CONSTITUTIONAL DUE PROCESS rights of ALL our citizens (including little old me). Admittedly, I have been  
disappointed, that as of this date, I have yet to be notified by any of them of their concern that the THIRD CIRCUIT'S Eastern  
District (to this day) has a lunatic Judge (who in reality is not a "balls and strikes Judge" or even a lawful prosecutor but actually a  
very sick, Satanic Sadistic PERSECUTOR) continuing to pretend to be a LAWFUL Judge. He REMAINS ON THE BENCH  
(presiding over his old cases and taking on new cases) even though I "outed" him close to 2 years ago as being a LAWLESS  
SOB BASTARD FASCIST who is radically inappropriate to be a Judge in a country like ours. Our country has true potential to be  
a country where "The Rule of Law" TRUMPS the rule of SATAN and his devil cult followers. And yet it ain't going to magically  
occur without our changing some errant behaviors that we have "collected" along the way. In order to be better, we need to do  
better. People in the GOVERNMENT claim they want to Make America Decent Again. If they want to prove that, that genuinely  
is their mission, then they need to act. They can prove their sincerity to that mission/that dream right here, right now by joining  
with me (THE WHISTLEBLOWER OF THE THIRD CIRCUIT'S EASTERN DISTRICT) to have the DISHONORABLE JUDGE  
PAUL S.S. DIAMOND relieved of his position at God's Speed.







TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

FROM: 77307066

TO:

SUBJECT: The Criminal Referral-- Part 1

DATE: 11/16/2023 10:57:01 AM

I, Andrew Berkowitz, MD 77307-066, FACTUALLY INNOCENT/LAWLESSLY CONVICTED IN CASE 2:19-Cr-00356-PD-1 WHICH OCCURED IN THE THIRD CIRCUIT's Eastern District am sending in this CRIMINAL REFERRAL FOR THE CRIME OF OBSTRUCTION OF JUSTICE committed by Judge Paul S. Diamond.

I am sending a complete copy of this correspondence by certified mail after being filed via The Prison Mailbox

Rule to the following officers at the following addresses-

1)Attorney General Merrick Garland US Department of Justice 950 Pennsylvania Avenue NW Washington D.C. 20530-0001	2) US Department of Justice Office of the Inspector General 950 Pennsylvania Avenue Room 4706P Washington DC 20530-0001	3)Administrative Office of the US Courts One Columbus Circle NE Washington DC 20544
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Despite not being a lawyer I realized that what Judge Diamond did in my case was IRREFUTABLY A Nixonesque criminal violation of the Criminal Statute of Obstruction of Justice. While some, at times, may BROADLY interpret this statute I have here done the exact opposite. I have defined the statute so narrowly as to eliminate all "false negatives of such." In short, I'm saying that If Diamond didn't violate this statute then no one ever has or does or will do such. Enclosed with this referral are two exhibits. One is a listing of the 17 Senators on the Judiciary Oversight Judiciary Committee that I sent my 16 page correspondence to with the second being that very correspondence itself. As anyone with experience can plainly see I am not experienced at doing criminal referrals being a GOOD DOCTOR and yet circumstances being what they are has compelled me to take the lead in doing such in this malicious prosecution/illegal incarceration. In my case, there literally are dozens of "Officers of the Court" who have abandoned their fiduciary responsibility/vows to be patriots to their country and its Constitution. All were completely cognizant of Diamond's Actus Reus and will have no deniable plausibility defense to take refuge in. As my attorney, Jeff Feiler, so charmingly put it to me- Go easy on Diamond- he knows what he did when he tore up your Pro Se Litigant filings. He did such to admonish me for making such an issue of his tearing up my Pro Se Litigant Motions. That being said, we can all agree that NOT only did Diamond have Actus Reus to the crime but he also had Mens Reus to such. FYI- I found it both upsetting and just plain duplicit that Jennifer Arbittier Williams(the temporary Lawyer for the Government of the Third Circuit's Eastern District during part of the time period post my indictment and the replacement of William McSwain who later ran for Governor of PA) staged a photo op after the Government successfully prosecuted James Dougherty (a small time local Counselman in Philadelphia) on the front steps of the Court to proclaim that the results in this case demonstrated that NO ONE IS ABOVE THE LAW! A great photo op for sure and yet we're now putting that to the test- Right here- Right now. It is undeniably a sad state of affairs, that in a country like ours, that strongly asserts that the rule of law is alive and well, that not one of the dozens of "Officers of the Court" dare to stand by their vows and do the "right thing." Surely we all will agree that principles only matter if you stand behind them when its inconvenient to do such. As bizarre as it sounds that none stood up for righteousness and/or the FACTUALLY INNOCENT, it is nonetheless true in this case. Below you will find a list of those who have clearly (at a minimum) condoned Diamond's lawlessness and sorta been complicit in it. While some of these "Officers of the Court" might try to hide behind the defense of "plausible deniability" that is not tenable in my case here and would fail the proverbial "laugh test." All the lawyers from the three groups of lawyers which at different times were hired to represent me were fully aware of Diamond's lawlessness but clearly/irrefutably opted to not only be a zealous advocate for me but also not to be that "Officer of the Court" they had sworn to be. Despite my imploring my lawyers over and over again to play their assigned role appropriately - they all REFUSED to put a spotlight on his due process abuses by putting that spotlight on it/bringing this quintessential issue to the world's consciousness(i.e. to let it see the "light of day"). They all have been steadfastly resistant to make the Criminal Referral that I'm making here to the three groups I'm sending this correspondence to. Clearly, they were convinced that the three of you(who the Buck stops with) that I'm writing here would either do nothing- selling them out should they be daring enough to make that referral and/or NOT protect them from reprisal from those Powers to Be for joining with me in my fight by filling that role as a true patriot to our country and Constitution as a WHISTLEBLOWER. Now I will reveal a partial list of traitors to the values our country was allegedly built around as its foundation

Judges- Paul S. Diamond/Chief Justice of the Eastern District (Juan Sanchez)/Judge Gerald A McHugh- my forfeiture Judge DOJ Attorneys to the Eastern District- William A McSwain(who actually in 2022 ran for Governor)/Jennifer Arbittier Williams and the Present Attorney for the Eastern District Jacqueline Romero

AUSA's- Mary Beth Leahy/Anthony Scicchitano

Presentencing Investigator- Megan Maier

Lawyers I had working with me at various times- Marc Neff, Richard Hark, Joshua Lowther, Murdoch Walker, Katrina Spearman, Jeffrey Feiler, Jason Wandner, Joseph Poluka and Marc Lee

Thus once again- being the patriotic WHISTLEBLOWER I am, I had "no choice" other than to do it myself. Noting that I was forced into doing such referral, being neither a criminal lawyer or having done one before, I'm hoping you have a willingness to forgive me for a lack of proper protocol/tradition "respectfulness" of my lack of homage to convention/tradition. Truly a sad state of affairs that emulates a fake Government Propaganda Narrative far more than any real "truth." The fact that Diamond actually







TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

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had the Chutzpah to enhance this FACTUALLY INNOCENT GOOD DOCTOR on Obstruction Of Justice only goes to prove that this nation to be one of people rather than laws far more than any words I could try to assemble together expressing such. FYI- that enhancement of, in itself, netted me an additional 52 months at sentencing. In order for the Judge to make that ridiculous/lawless assertion as being guilty of such required an extremely broad and very radically "liberal" interpretation of that statute. Fortunately for me- having a huge prejudice in the favor of the Lord and myself and an equally huge prejudice in the disfavor of Devil Diamond and Lucifer, I can't see how the Hell they interpreted my desire to Change My Plea (i.e. recant my false pleading) as being a case of Obstruction Of Justice deserving of 4.5 years more time in prison- but that's just me 77307-066. That is clearly a fictitious invented/concocted Obstruction of Justice recognized by the Court of Diamond and yet Diamond's clear irrefutable Obstruction Of Justice wasn't concocted BUT apparently is invisible to all that are truly 100% GODLESS. THEY decide what exists and doesn't exist or so THEY think. THEY invent what doesn't really exist and deny what is truly real - and the LORD Our God ain't too happy with such. Without further ado, having created the proper ambiance/setting the scene- I'll move onto the particulars. All you need to completely understand the REAL truth (rather than THEIR Government Propaganda Narrative) is to read what is within my Pro Se Litigant motions on my criminal docket of 2:19-00356-PD-1. In particular, I would advise you to focus on the following motions 196/197/198/207/214/219/266/267/291. I will break down this group of 9 motions into 3 groupings

Group 1- Documents #196/198 have to be viewed as a pair- sorta one and the same- the two combine lay out my case that there is no factual basis at all for me having committed a crime i.e. that no crime ever occurred - I was simply doing my job as a doctor and NO ACTUS REUS LET ALONE MENS REUS. #198 was the initial Motion that Diamond buried and #196 served not just only as a reproduction of #198 from memory but also provides in its foreword to that reproduction the ABSOLUTE PROOF that Diamond was colluding with the Clerk of Court Kate Barkman to decide which written(not a email generated sychophantic traitorous lawyerly lawyer motions) filings make it to the docket. Those motions (in Diamond's Court) will never make it to the criminal docket if those documents are true and exculpatory to the defendant's innocence/if they are not affirming to the Judge and his agenda in every way possible. In short, DIAMOND + BARKMAN were deciding what documents from Pro Se Litigants fit their agenda and only those documents are the ones that won't be shredded. Diamond INDISPUTABLY buried document #198 (AKA The Impeachment Document) until the arrival of document #196 which he believed forced him to dig it up and resurrect that motion to save his career. What Diamond didn't realize was at that time is that I had a list of other previous motions in which Diamond had done the same exact thing to which I had never called him on i.e. his lawless burying acts previous to burying #198. While he thought that resurrecting document #198 was saving his career in reality in ACTUALITY it was burying his career. Thus that Doc #198 was christened THE IMPEACHMENT document.

Group #2 is 260/266/267

260 filed on 12/15/21 was Pro Se Motion to Post all the buried documents/motions not posted

266 filed on 12/22/21 was to post all the recently buried Pro Se document motions not posted

FYI- through some confusion between me and my outside team only circa 75% of those motions listed in those documents were actually buried but 75% is still as lawless as it gets as 1% would be. In this document here I will list a corrected list 267- filed 12/22/21 PRO SE LITIGANT MOTION TO SUBPOENA THE LEGAL MAIL LOGBOOKS AT FDC PHILADELPHIA on 6 North from 8/1/21 to present and from 4 South for the month of 7/20

While he DENIED me all my motions the DENIAL of this motion(267) Diamond was completely actually CRIMINAL(given my previous motions 196/198/260/266 given the evidence(the proof of the buryings) I provided in the filings I made prior to document #267- unequivocally a Obstruction Of Justice Prima Facie

Group #3 consists of document #s 197/207/214/219/291 are all motions calling for an investigation into the burials/shreddings of my motions. Diamond denied all of these and thus in effect piled more Obstruction Of Justice charges on top of those that already existed. I suppose Diamond by doing such was doubling down on the Obstruction i.e.. the proverbial in for a penny in for a pound

Document #197 was filed circa 10/13/21

Document # 207 was a Pro Se Motion filed on 10/21/21 For Judge Paul S Diamond To Recuse Himself From My Case 2:19-Cr-00356-PD-1- And Then Should Wisely Resign In Disgrace.

Document # 214 was a Pro Se Litigant Motion filed on 10/27/21 Motion to Make Criminal Referrals (to the DOJ) and have an Evidentiary Hearing To Explore The Probable Crimes Committed By Judge Paul S Diamond/Kate Barkman/Mary Beth Leahy and Bryan Lacy

Document #219 was filed on 11/8/21 was a Motion For the Honorable Judge Paul S Diamond To answer a Third Set Of Interrogatories To Further Explore The Probable Crimes He Colluded With His Co-Conspirator Kate Barkman In My Case 2:19-Cr-00356-PD-1

Document #291 filed on 1/15/22 was a Pro Se Litigant Motion To Recuse Judge Diamond Based On The Evidence On The 4 South Logbook and the 6 North Logbook from FDC Philadelphia



On 1/11/2019, the Defendant was interviewed by Special Agent [REDACTED] and Special Agent [REDACTED]. The Defendant stated that he was not involved in the [REDACTED] and that he was not involved in the [REDACTED]. The Defendant stated that he was not involved in the [REDACTED] and that he was not involved in the [REDACTED]. The Defendant stated that he was not involved in the [REDACTED] and that he was not involved in the [REDACTED].

On 1/11/2019, the Defendant was interviewed by Special Agent [REDACTED] and Special Agent [REDACTED]. The Defendant stated that he was not involved in the [REDACTED] and that he was not involved in the [REDACTED]. The Defendant stated that he was not involved in the [REDACTED] and that he was not involved in the [REDACTED].

On 1/11/2019, the Defendant was interviewed by Special Agent [REDACTED] and Special Agent [REDACTED]. The Defendant stated that he was not involved in the [REDACTED] and that he was not involved in the [REDACTED]. The Defendant stated that he was not involved in the [REDACTED] and that he was not involved in the [REDACTED]. The Defendant stated that he was not involved in the [REDACTED] and that he was not involved in the [REDACTED]. The Defendant stated that he was not involved in the [REDACTED] and that he was not involved in the [REDACTED].



TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

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FROM: 77307066

TO:

SUBJECT: Criminal Referral Part 2

DATE: 11/16/2023 10:55:42 AM

Below is a partial list of the Shredded Documents

1) Keith Dougherty sent a Habeas Writ Default Notice under his name with his signature in the 4 South LOGBOOK dated 7/16/20

2) Document #198-- as discussed previously that was only RESSURECTED when Document #196 undeniably proved that a crime had been committed at the Eastern District Office. Document #198 was DATE STAMPED on 10/14/21 a full 16 days later after being served at FDC Philadelphia via the Prison Mailbox Rule on the 6 North unit (which is a half block away from that Eastern District Office)-- GOTCHA Criminals of the Eastern District Courthouse

3) Motion TO SEND ME HOME served on 6 North FDC on 10/15/21

4) Open Letter-- two were sent (both 11/14 and 11/16) yet only one was docketed

5) \*\*\*Motion To Hold An Evidentiary Hearing To See Who The Government Approached To Be Their Expert Witnesses (suspecting quite a few had thus several Brady Violations that I was hoping to expose at that Hearing and show the Government to be who/what they truly are-- sent 11/27 (the same date as Document #237 was sent))

6) Motion To Compel Jennifer Arbittier Williams and Chief Judge Juan Sanchez To Testify In A Evidentiary Hearing In Regards To... 11/18/21. That motion was circa 6 pages and discussed a variety of issues/questions that these witnesses would be asked to give testimony on.

7) Motion To Post My Other Motions Sent The End Of October-- sent 1/9/22

8) Motion To Restore My Sixth Amendment Rights By Sending Me Home-- sent 12/16/21

I had put in a motion To Subpoena the Logbooks (making it clear I was onto his lawlessness (Document #267 which I submitted 12/22/21). Diamond PREDICTABLY denied that motion by stating that he, himself, was guaranteeing all were filed. This statement was thus allegedly implying/stating that because he guaranteed such that the subpoenaing was essentially wasting the Court's precious time. THEN something bizarre happened. DIAMOND CONTINUED TO SHRED

EVEN MORE DOCUMENTS!!! Fascist Is as Fascist Does. Apparently Diamond felt oh, so comfortable that he would never suffer any negative consequences from being caught that he continued/felt undeterred/felt immune to prosecution for his criminal behaviors. By doing such he signaled us all that there would be NO REMORSE/NO REPENTENCE. Why you ask? Because that's what Fascist Judges do. He believes that should he stay within his FIFEDOM that he truly is UNTOUCHABLE!! Previously, I have well documented two more separate mailings that he had destroyed (and it is conceivable-- for various reasons including the BOP destroying my legal paperwork- there could be more)

9) On 2/20/22 I filed a motion on 6 North at FDC for which I signed my name in that unit's legal logbook. While I plan to divulge the topic/nature of that filing at a more opportune time in the future, for now I'm choosing to keep that information a secret.

10) On circa 3/20/22 I served another filing from the 6 North unit which had as its primary motion to subpoena my very first lawyer Richard Hark. I believe, and still do today, that getting Hark to give testimony would play a crucial role in my being GRANTED my Change of Plea Motion. Crucial in that his testimony would clearly prove him to be a highly conflicted attorney who was the PUPPETEER in my case here with Neff being his STRAWMAN. Additionally, Hark would have testified in Court about how/when/why the DOJ's Mary Beth LYING Leahy had extorted me to plea (to crimes NOT committed) by leveraging me on a very fake THIRD DEGREE MURDER. As much as I was desperate/motivated to have Hark testify, Diamond was equally motivated to prevent Hark from testifying. In order to be able to deny my Change Of Plea Motion-- to fit into his lies/personal agenda/for his own psychological perverted reasons-- Diamond was going to make sure one way or another Hark would NEVER take the stand. This determination played itself out in two very SHOCKING separate lawless actions by him. The first, I just discussed here occurred when he shredded (rather than posting) filing number ten that I'm presently alluding to above. And yet, perhaps the second action he did may even be more ridiculously, lawlessly absurd. I was told by my lawyers (Wandner/Feiler) that when they implored Diamond to allow them to subpoena Hark for his testimony so as to find out what he knew then and when, Diamond DENIED their request. He justified his DENIAL by STATING that Hark's testimony wasn't needed. Diamond asserted it was irrelevant. He resorted to LYING by stating that Hark never entered the case until AFTER I pled. And there we have it. What Diamond said there is emblematic/symbolic of this entire case i.e.. lies piled up upon lies.







Exhibit C4

TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

FROM: 77307066

TO:

SUBJECT: The Criminal Referral --- Part 3

DATE: 11/16/2023 10:55:07 AM

Despite my diligence/steadfast persistence/determination in getting the Attorney and Inspector Generals to address my case I have yet to be contacted by them. They need to intervene in my case 2:19-00356-PD-1 being that my ex-Judge is a certifiable CRIMINAL MADMAN (who sorta has a license to kill) is urgent being that I was UNLAWFULLY convicted and detained (a kind of kidnapping of sorts for 3.5 years) that still isn't the most pressing reason why they need to divert themselves from other tasks of their job. DIAMOND REMAINS ON THE BENCH and is continuing to preside over OTHER AND NEW cases. I believe that Diamond is a "bad seed" and thus doesn't have the true capability or free will per se to be other than what he is (a true blue Scorpion) i.e. from the Scorpion and the Frog parable. While IT IS TRUE he is the DIRECT cause of perhaps 100s of miscarriages of Justice he certainly had co-conspirators or sort who condoned and/or were complicit in his criminal behaviors. Undeniably, his supervisors i.e. the Chief Justice of the Eastern District's Third Circuit (Juan Sanchez) and the Third Circuit Court of Appeals has up until now has allowed him to do whatever his Demonic heart desires. As far as the evidence shows given him carte blanche to slice and dice the "rule of law" AND its Constitution as he pleases. I would contend that not only are they culpable here but that these supervisors should rightly bear the lion's share of such culpability for not restraining the "bad seed"/"GOAT of all FASCIST JUDGES." In this case the evidence of Diamond's Criminal Obstruction Of Justice is so OVERWHELMINGLY apparent that no one should be afforded the defense of plausible deniability and ALL his supervisors should be charged under the Federal Statute of "failure to supervise." On top of that his predisposition towards going lawlessly FASCIST is undeniable and further proof of such was displayed in full regalia in these last several months. His "INCOMPREHENSIBLE" rulings in response to my motions in Documents 428 and 431 AND with his purposefully fraudulent labelling of Document #434 (with its 9 substantive motions as nothing more than a Pro Se Letter which thus wouldn't require him to rule on) prove the case against his being INCAPABLE of presiding over any Federal Case at this time. It proves such far better than Johnny Cochran or William Cumsford could should they both be crossing him on the witness stand. Not sure exactly what (short of his shooting a defendant in the head with a gun at one of his Kangaroo Court hearings) he would have to do before "The Powers To Be" intervened on behalf of GOD/The Constitution/Justice. Diamond's supervisors lack of devotion to the Constitution and their sworn vows as Court Officers speaks for itself. WOW-- quite eye opening!

I have as of the present received no evidence of any of the parties this letter is being sent to nor any of those on the list enclosed of those I have reached out to are presently willing to intervene on the behalf of Justice. So let me once again remind all that YOU are either for THE GOOD or you are EVIL. You are either in favor of prosecuting Diamond for his Obstruction of Justice or you are a co-conspirator. In this kind of case there can be NO Switzerland. Those I have "reached out to by CERTIFIED mail" have to pick a side/a horse. Perhaps, who they pick here will define themselves to be who they are and be their true legacy.

In Part 1 of the Criminal Referral (included in this packet) it shows the addresses I mailed that criminal referral to in mid July for the Attorney and Inspector Generals AND the Administrative Office of the US Courts. This correspondence will be mailed to those same parties at those same addresses. Also included in this packet is the proof that I did such (the USPS tracking numbers of those certified mailings). Having not received any verification from these three parties that they have taken up my case being a true patriot, I will do my civic duty and AGAIN send them another (and if need be another and another and another) certified correspondence imploring them to do their SWORN duty. My understanding, as an ordinary yet rather well informed law abiding citizen, is that they are OBLIGATED to do such RESTRAINING OF LUNATICS by the Constitutional checks and balance system and their sworn vows. My understanding as that law abiding citizen who has made the CHOICE to "buy into" the Government's talking points is the following-Every criminal defendant is entitled to their Civil Constitutional Due Process Rights which includes having a District Court Judge that is a "balls and strikes" Judge who isn't partial. It is FACTUAL that my Judge is the number one, two, three and fourth leading suspect in tearing up the 10 or so missing Pro Se Filings. Should someone else (a dark horse suspect) have done the actual burying of those filings, Diamond at a minimum is shielding them from being investigated in his refusal to SUBPOENA THE LOGBOOKS. Of course, it is obvious that he would have granted my subpoenaing such (which will show a cadre of missing filings and at least two of them post his denial to subpoena those LOGBOOKS) should he have been completely innocent of this FASCIST behavior he is being accused of. Any rational Judge who was innocent of such, who was targeted for having destroyed my motions, would have freely granted that subpoena and would have been the first to demand the DOJ investigate this clear Obstruction Of Justice. No one would argue that in this case 2:19-cr-00356-PD-1 that the Federal Judge is 100% in charge of making sure that the criminal defendant receives his Constitutional Civil Right To Due Process. Thus, it stands logically to follow that Diamond would be the MOST insistent of all to explore the who/what/when/how this criminal fraud in his court occurred. That is what a decent "balls and strikes" Judge does who honors their sworn vows and the Constitution would do. While Diamond is alot of things, decent certainly isn't one of them. Of this I am sure! Initially, pre-sentencing when Devil Diamond DENIED my motion to subpoena those LOGBOOKS he stated "it wasn't necessary to do such since he PERSONALLY filed them himself (implying it would be a waste of the Court's time to do such)." Of course, Diamond by making this statement is inadvertently "outing himself" to be the criminal that he is. Diamond, as the Judge, isn't suppose to play ANY role in what gets posted and what doesn't. HE SHOULD NOT BE THE ONE that is doing



[Illegible text block]

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TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

the actual posting as he declared he is/was. Once again, Diamond Obstructed Justice in this case by his denying my motion to SUBPOENA THOSE LOGBOOKS which WILL show that circa 10 of them (as listed in Parts 1 and 2 of the Criminal Referral) MYSTERIOUSLY never made it to my Criminal Docket. This will prove Diamond to be the FASCIST PATHOLOGICAL LYING CRIMINAL that he is. Diamond used his position of power to obstruct an investigation which would prove that my DUE PROCESS CONSTITUTIONAL RIGHTS were being violated. Being violated in the most dramatic way by refusing me "a court approved Pro Se Litigant" to devise a defense of my own without INTERFERENCE from that court. Diamond clearly accepted a NON FACTUAL ill gotten pleading. While some of what I pled to was admittedly false, none of what I pled to showed ANY factual basis for the statute and the counts I had been indicted on. The health care fraud statute talks of medical illegitimacy of treatments for various patients with various illnesses. And yet, nothing in the GPM even mentioned diagnoses and/or mismatches between my treatments and those objective scientifically indisputable diagnoses of those patients. The GPM didn't come within a 100 miles of addressing "the science" but rather only spoke of dollars made and Goody Bags. A GPM that completely ignored the specifics of the statute for health care fraud and focused on the GOVERNMENT PROPAGANDA NARRATIVE. That narrative was totally devoid of any discernable science and yet chock full of lies/half truths and innuendoes. Seeing Bryan "Fuhrman" Lacy's testimony as the only "witness" (yet not really a lawful witness being that he didn't qualify as being either a fact witness or an expert witness). Lacy was nothing more than a FBI agent with experience in the Violent Crimes and Gang Task Force who with the help of MBL completely scrubbed that testimony of all science. We need to couple that truism with MB "LYING" Leahy's unintentional admission of complete ignorance as to what the health care statute was (shown in document 301 page 16). To this day the DOJ has refused to give us/me the complete Grand Jury Transcript. When combining all those aforementioned facts that inexorably leads us to conclude that being that the Grand Jury returned their indictment IT IS IMPOSSIBLE THAT THOSE JURY INSTRUCTIONS WERE APPROPRIATE for this case i.e. the statute I was indicted on. Thus the only lawful thing for the court to do should they chose to follow the "rule of law" is to reject that indictment obtained in June of 2019 with or without prejudice. The court is required to do such being that, that indictment was clearly an ill gotten indictment due to those purposeful errant instructions given from MBL to the Grand Jury. Returning to Diamond's Obstructions of Justice the simple essential question at hand here is just how egregious on the scale of Obstructions of Justice was Diamond's Obstruction of Justice compared to other Obstructions that "The Powers To Be" put in the pathway of defendants seeking their freedom. How egregious being question number one with question number two being (if found to be a significant infringement of my Constitutional Right To Due Process) what should be done to "cure" said such violation.

Let the truth be told that The American Government is quite determined to maintain THEIR ORDER (that in America there be one rich person with the same wealth for every 250,000 other not so rich people) which dictates that the American Justice System MUST convict 10 innocent before allowing one guilty to go free. In order to properly assess the true gravity of Diamond's Obstructions Of Justice we must first look at the true complete purpose of my Court Filings that he was destroying. My motions/filings from prison (a DUNGEON of sorts) had two primary purposes--

- 1) Allowing me to devise my own strategy to gain my freedom. While I don't have the technical knowledge a lawyer has per se, and I can't properly define "justice," I know injustice when I see it. In addition to that, being Pro Se has the advantage that doing such will provide me with a true zealous advocacy. It has become clear to me that almost any lawyer I was to hire will not have me first on their list of people they will advocate for in my case and may actually not have me on their list at all
- 2) Allowed me from that dungeon to get my story out to the WORLD. When you're in a dungeon guarded by guards it is a difficult task as Alexander S. discovered in the Gulag to get one's story out. Without getting that story "out" the world will only be left with the false PROPAGANDA GOVERNMENT NARRATIVE as to what occurred in this happenstance

Shredding my motions, rather than posting them, was Diamond's way of doing all he could to prevent me obtaining those two important objectives of mine. From that standpoint I would argue that Diamond's Obstructions Of Justice were "as egregious as it gets." Should the court not impose an appropriate "cure" for such violation then I would assert to the court that, that dereliction of their sworn duty goes beyond condonation and qualifies the court as being entirely complicit with Diamond's obstruction to me receiving true Due Process. In my estimation in this case with Diamond's obstructions we have hit rock bottom on that "slippery slope." As an aside-- William Penn, who received the charter for Pennsylvania by the King of England, was charged with a controversial free speech issue. He was initially represented by some lawyers. However, being dissatisfied with his lawyers he fired them and decided to represent himself. He then went on to win his case. As partial compensation for Penn being wronged he was awarded the Charter of what is now known as the "Commonwealth of Pennsylvania." Clearly Penn decided that Pennsylvania should be a "Commonwealth" both because of his Quaker heritage and his mistrust of centralized governments. Penn was Pennsylvania's first Pro Se Litigant. My suggestion would thus be in this case that should I win as a Pro Se Litigant, that we follow the tradition of Pennsylvania and have the Government award me an appropriate parcel of land as partial compensation for this egregious malicious prosecution followed up by an illegal incarceration as part of that "cure." (LOL?)



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Exhibit 66

TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

FROM: 77307066

TO:

SUBJECT: The Criminal Referral-- Part 4

DATE: 11/16/2023 10:54:39 AM

I am neither so naive nor so egocentric to conclude that the shredding(non-posting) of mailed in Pro Se Litigant filings began in my case. The firing of the last Clerk of Court, Kate Barkman, supports my assertion above. Clearly, at a minimum, the clerks at the Eastern District and Judge Diamond were ALL part of this conspiracy that was denying the only true ZEALOUS ADVOCATES for their clients (in a system that ABHORS and is quite hostile to Zealous Advocates for the Federal Criminal Defendant) the Pro Se Litigant(who uniquely is completely disinclined to sell out their client for "the greater good" i.e. "the clients of tomorrow" that never come) their right to file ultra-effective motions. THIS IS NOT JUST A DIAMOND THING!! Presumably the Clerk at the Court is obligated to accept all Pro Se Litigant motions and upon arrival date stamp them THAT DAY ON ARRIVAL and log them in their LOGBOOK that day and post them on PACER. Clearly, FASCISTLY very little of this mandatory procedure was being done way too frequently. I AM THE WHISTLEBLOWER!!! The THIRD CIRCUIT OF APPEALS realizing that the pair of my filings i.e. Document #196/198 on my Criminal Docket proved so much. Caught red handed. That was the death knoll of the Clerk of Court Kate Barkman's career in the Eastern District's THIRD CIRCUIT. And that's the reason she was fired just weeks after my sentencing. That being said, the word was passed onto the THIRD CIRCUIT that we need to assign his appeal to their assassins/fixers/three stooges, Schwartz/Potter/Ambro who would get the the dirty deed done. Wandner recognized so much-- that my Appeal would be DENIED being that denial was prognosticated/foretold by -- Hearing through the grapevine that THEY needed to teach THE WHISTLEBLOWER a lesson-- a Rodney King/ Diallo/George Floyd lesson he would never forget. That word through the grapevine was confirmed when -- Judge Gerald McHugh(that great team player) refused Wandner's motion to stay the garnishment of my properties for a few months until the Appeal was ruled on AND -- The three stooges refusing to allow oral argument to be heard-- SHHH!!!! The less of the particulars transcribed about this case i.e. the malicious prosecution chock filled with Judicial Misconducts leading to a wrongful conviction, the better I AM THE WHISTLEBLOWER who needs a Independent Special Judge/Prosecutor due to the THIRD CIRCUIT's(the most lawless and frequently overturned circuit in the land) CONFLICT OF INTEREST-- Of this I am sure!!The rule of law demands as much!

To summarize what occurred here

- The DOJ never knew that criminal statue for health care fraud and got the "ham sandwich indicting Grand Jury" to indict me sans evidence having that testimony being VERY COUCHED and given by the FBI's Bryan "Fuhrman " Lacy an FBI agent with much experience at the FBI's Violent Crimes and Gang Task Force.
- While he was the only one to give testimony at The Grand Jury it was beyond lawless in that he was even allowed to do such testimony being NOT qualified to be such-- neither a true "fact or expert witness."
- The testimony from "Fuhrman" Lacy was scrubbed of all science/medicine/fact and replaced only with the GOVERNMENT PROPAGANDA NARRATIVE which was nothing more than lies/half truths and innuendoes that talked of monies made and GOODY BAGS
- The Grand Jury chose to indict only after being given errant jury instructions by the AUSA's Mary Beth "LYING" Leahy
- The DOJ after being fed information from the criminal referrer BC/BS of PA, extorted me to plea by threatening to super indict me on a FAKE THIRD DEGREE MURDER CHARGE
- The DOJ failed to provide a true factual basis for the GPM. They failed to find even one whore Pain Management Expert Witness whom would risk their license by LYING that I violated the CSA or committed health care fraud.
- To OVERCOME that "itty bitty" problem the DOJ INVENTED a "ghost expert witness" (Dr Stephan Thomas) who they SAID would testify in court as to my violating the CSA for patients 1,2,3 and 4. And yet, as far as the evidence shows(in Discovery), he never even reviewed my case or even knew of its existence
- As far as providing a factual basis for health care fraud, Mary Beth "LYING" Leahy simply decided to "rewrite" the statute claiming that she "heard" that a few people SAID (but never testified to) that I didn't give enough advice nor did I discuss drug-drug interactions enough to my patients nor did I answer enough of their questions blah, blah, blah FYI-- She also implied that these civil offenses applied to 100% of the BC/BS and Aetna patients but 0% of the patients in my practice who had subscribed to any of the 30 plus other "lesser" insurance companies. Ergo-- Aetna and BC/BS (who are VIP's in the Eastern District) get 4 million in restitution and their competitors get ZERO!!!
- Diamond argued that I agreed to the pleading (and admittedly agreed to some LIES) having been "made the offer I couldn't refuse" i.e. sign on the line and be a good, good boy or get indicted for murder. And yet, none of what I pled to in that pleading, even if all was true, provided ANY factual basis for any of the 42 counts I was indicted on
- When I proved to Diamond that the DOJ hadn't provided any factual basis in their GPM, Diamond the "GOAT" of all FASCIST Judges became determined to live up to that well earned title
- a) He claimed that because I pled it was "pointless" for the DOJ to have to prove a factual basis to their GPM. While that might be true in Russia/China/North Korea that is factually incorrect in the US-NOT in harmony with our "rule of law"
- b) He did all he could by bribery/extortion to sever the relationship between myself and my three sets of attorneys and







Exhibit

G

TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

make them hostile to my cause. Neff even was guided by Diamond to try to withdraw twice and declare my behavior "REPUGNANT TO HIM" simply because I had insisted to Neff (in the first week after being remanded) that I was recanting my false pleading of 1/24/20 where I was coerced to plea to crimes not committed.

c)Diamond asserted Neff's FACTUAL "ineffectiveness of assistance counsel" was truly effective counsel because he stated that Neff got me less time to be served in that plea agreement than the 660 years than I was statutorily charged with. Being the PATHOLOGICAL SOB LIAR he is, he then went onto say that if we went to court and I lost then he (DEVIL DIAMOND) could have sentenced me to the 660 years. LIAR!!!! The fact is/truth is he couldn't legally sentence me for 1 day more than the 20 years he sentenced me to without going to trial. Zero relief for me from my pleading to Neff's Plea Deal From Hell. ZERO for pleading having "given up" my right to go to trial and fight a case where the DOJ had zero evidence against me. Clearly, Neff's plea deal proved him to be as a criminal defendant lawyer "as ineffective as it gets."

d)Diamond in his attempt to destroy me sent me to a maximum security prison for 2.5 years where I got attacked twice-- received zero medical treatment for such attacks but in the "Kafka" world of the BOP's FDC Philadelphia received 35 days in the "hole" for being attacked. At FDC I received but 20% of the medical treatment I was entitled to by the chief doctor there Dr Laughingwell and when I complained of such treatment to the medical director of that unit to which he responded to such by putting me in a 2 foot by two foot cage. I was later informed by the medical staff that they had specifically installed that cage in the medical department to "teach" any complainers a lesson about complaining about the medical care they are being given or the lack of it. I only avoided going to the "hole" for such complaints by recanting my complaints. On top of this I was subjected to Diamond's 5+ month "diesel therapy tour of America's worst prisons" during the height of the PANDEMIC UNVACCINATED. Diamond justified that tour under the ruse that he was fearful that my mental capacity was deficient disallowing me to go to trial and/or become a Pro Se Litigant. Let the truth be told, while said, such disqualification would require my finishing in the bottom 2.5% of those tested, I have much reason to believe I finished in the top 1%. Diamond remanded me post pleading (an extremely unusual maneuver for someone charged with what I was charged with) not because I was a "flight risk or a danger to society" but because I was a "fight" risk. Everyone knows that an defendant's chances of being freed are precipitously lower if they are doing said such "fighting" from a maximum security prison than if that "fighting" is being done from home. THAT IS THE ONLY REASON I WAS REMANDED. Diamond justified that remanding by at that pleading by SAYING at that pleading's conclusion "as far as the evidence shows you are a common drug pusher" when it is a FACT that none of the evidence indicated that-- ZERO

e)When all this failed to be the death of me HE (Devil Diamond) then resorted to tearing up my best motions that proved beyond a shadow of a doubt my complete FACTUAL innocence. At some point in my case Diamond realized the DOJ had failed to provide any factual evidence in the GPM as to criminality on my part for any of my 42 counts. Once again, Diamond inadvertently admitted such at my hearings when he

-- replied to an issue I had raised by stating "I THOUGHT that they provided a factual basis"-- not that they DID. He was defending his ruling to accept the NON FACTUAL ill gotten Plea Deal simply because he claimed good faith of not realizing that it truly was NON FACTUAL at the time and yet, he refused to "cure" such by doubling down on that mistake and pushing me through a sentencing (and not nullifying the Plea Deal as NON FACTUAL or granting my Change of Plea that lawfully should be "freely granted" and that just and fair cause be "liberally interpreted") of 20 years and 8+ in forfeiture

--AND on sentencing he didn't accuse me of anything other than making too much money as a doctor

-- LAST BUT NOT LEAST the 3 highly conflicted stooges of the THIRD CIRCUIT APPEALS COURT -- SHWARTZ, AMBRO, PORTER jumped into the conspiracy (instead of saving the weak) FASCISTLY in a pile on by doing all they could to deny 77307-066 THE WHISTLEBLOWER ON THE THIRD CIRCUIT's EASTERN DISTRICT and protect that Eastern District from getting their come upins/consequences--to the full extent of the law

In this part 4 of my Criminal referral, I started it off by saying-- "I am neither so naive or so egocentric to conclude that the shreadings(non-posting) of mailed in Pro Se Filings in the Eastern District began with me. And yet, as stated previously "I have a dream that it could end with me." My HERCULEAN efforts these last two years have been geared towards making that dream come true. No one in America should ever have to face such FASCIST LAWLESSNESS by any American Federal Judge. Once again Attorney General Merrick Garland, I'm encouraging you that should you like your job and own your job that you do your job as you have been sworn to do and help me achieve my aforementioned goal/dream. If you are NOT FOR THE GOOD, you are by definition for the evil. Judge Diamond doesn't really know better, you do. Diamond reminds me of the ex-Commandant of Auschwitz who at the Nuremburg trials was shocked out of his mind that he was on trial for crimes against humanity. While on the witness testifying at the trial he simply muttered over and over again how well he had done his job well by carrying out his orders steeped in Hitler's "FINAL SOLUTION" with an efficiency second to none. There is good reason to believe that once a pedophile always a pedophile, once a killer always a killer, and once a FASCIST SHREDDER (for some twenty years) always a FASCIST SHREDDER. Someone needs to show a little courage/patriotism and integrity and throw that SOB Judge out of office. All it takes for evil to triumph is for good, good men like yourself, Attorney General Garland, to remain silent with the price of freedom being eternal vigilance. You need to pay that price, right here, right now and finally prove, once and for all that at least one Government talking point i.e. "No One is Above The Law" is NOT just another Government LIE. Thank you for your time Attorney Garland. I pray you do the right thing here and always.







EAH:ht

D. 8

FROM: 77307066

TO: [REDACTED]

SUBJECT: THE OBSTRUCTION OF Justice by Diamond/[REDACTED]

DATE: 05/24/2023 03:49:50 PM

People say you can't prove Diamond did it  
 I doubt that-- if it smells like a horse and walks like a horse...  
 I will build my case below

A)Diamond "mistook" the Habeus Corpus Writ and the Appeal of his denial 2 the THIRD CIRCUIT  
 4 criminal docket motions

1

B)Diamond commandeered The Habeus Corpus Writ allowing himself 2 preside over such  
 a)Even though by protocol that would b inappropriate in that another Judge is supposed 2

take that on 2 prevent a potential conflict and also as a check and balance

b)Despite there being an actual conflict in that Habeus accusing him of making LAWLESS rulings

c)Despite his b eing instructed specifically in the body of the Habeus of there being a conflict in his  
 taking the Habeus under his control

C)Him being the only one who would do such being he was the only one with criminal immunity in doing such

D) His selecting only the legally strongest of motions 2 not docket understanding that those motions  
 would force him 2 LAWFULLY grant my/his breaking of the Plea Deal

E)His unwillingness 2 try 2 explain why it took document #198 16 days 2 travel half a block 2 get date stamped

F)His unwillingness 2 allow me 2 explore such malfeasance as seen in "E" above in an evidentiary hearing in  
 which I would depose Court of Clerks(Kate Barkman) who retired shortly after [REDACTED]

G)His unwillingness 2 refuse himself despite his demonstrably surpassing the Kensington International precedent  
 4 said such refusal

I was sent a  
 Justice  
 Scheme

H)His unwillingness 2 subpoena the LOGBOOKS despite ample evidence of malfeasances at the THIRD CIRCUIT  
 I provided such based on my assaults on document #198 and my numerous motions/filings with the Court  
 documenting that motions were not being filed

Let the truth b told--the refusal 2 subpoena the LOGBOOKS was in and of itself an Obstruction of Justice  
 irrespective of what those LOGBOOKS would show

While it wasn't 100% necessary that I made a strong case(or any case)4 said such subpoena I did AND Diamond  
 used his authority as The District Court Judge 2 obstruct an investigation which at that time had him as the #1  
 suspect/target. That is a Watergate Nixonish irrefutable Obstruction of Justice in and of itself irrespective of  
 what the LOGBOOKS would show

FYI-- I have sent numerous emails 2 many officers of the Court 2 subpoena the LOGBOOKS so that the GOVERNMENT  
 doesn't have time 2 destroy them before I get true Officers of the Court 2 subpoena such-- as the DOJ  
 watches from the sideline with the smile of the Cheshire cat on their faces

I)In Diamond's refusal 2 subpoena the LOGBOOKS he said it wasn't necessary 2 do such because  
 "I" docketed all of them

This is a criminal statement/admission if ever there was one in that

-- it is NOT his job 2 file any -- it was the job of the NOW retired Kate Barkman

-- if it wasn't a job/task he illegally commandeered(i.e.. stole from Barkman) how would he even b  
 privy 2 whether 3%, 19%, or 100% had been filed

turn  
 →  
 turn

J)Diamond "blinked" i.e. an admission of guilt when he failed 2 show up my hearing on 10/15/21 with me  
 after document #198-- THE IMPEACHMENT DOCUMENT was filed that previous day  
 That document explained how the PSR had no factual basis and was based on the GPM which also had  
 no factual basis which Diamond LAWLESSLY accepted

Later in a LAWLESS FASCIST ruling Diamond errantly declared in his ruling 2 Feller's motion 2 have the  
 Government's "ghost expert witness" Dr Stephen Thomas issue his report that-- it wasn't necessary 2 do such since Berkowitz  
 already pled.

This was a very "purposeful" Misread of The law by Diamond  
 Once again, Diamond was LAWLESSLY stating (for The record) that  
 a GPM doesn't require any FACTUAL BASIS provided that the



defendant pleases/acquires to pleading irrespective  
if that pleading is NON-FACTUAL and/or  
ill gotten (i.e., tortured out of the defendant)  
FASCIST is as Fascist does //



TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-V-A

FROM: 77307066

TO:

SUBJECT: Obstruction Of Justice by Diamond Part 2

DATE: 07/30/2023 11:52:08 AM

One last thing

To prove that Diamond was the one who actually destroyed the Pro Se Filings/document would be quite eaasy. It would simply involve the DOJ doing a simple short investigation which would require them to immunize some of the clerks working with Kate Barkman(and perhaps even Kate Barkman herself) contemporaneously to the time of those missing filings being shredded. Should they do such they would ALL simultaneously (in complete unison) point their fingers at Diamond in a nanosecond.

Introduction to the group Physicians Against Abuse and an exploration of the US Government's Crusade to persecute doctors  
On the page to follow this one in this packet is the cover page I received from a group called Physicians Against Abuse. That cover page served as their introduction to me. Included in that packet was a Brief Amicus Curiae from their organization (written by Sebastian Ohanian)in support of the Petitioner in the Ruan v USA case that was before the Supreme Court. That case worked its way to THE COURT via the Writ of Certiorari to the Court of Appeals for the 11th Circuit No. 20-1410. The Ruan case was later decided (on June 27 2022)in favor of Ruan by a 9-0 vote with Justice Breyer writing the opinion. I suspect that should you chose to read that Amicus Brief by Ohanian you will conclude that the time reading such was well spent. Page 2 of the Brief talks of the DOJ taking a three pronged approach in their witch hunt attack on a doctor's Civil Constitutional Due Process Rights those being-- (1) The phrase "not for a legitimate medical purpose" (2) hired mercenary Government experts (3) the ability to show substantial wealth of the accused physician, federal prosecutors have been successful in getting juries to return guilty verdicts in 9 out of 10 "scope of practice" cases all over the country. This formula has made the US the only country in the world mass incarcerating physicians. This is NOT because all the criminal doctors miraculously came to reside in the US, but rather because there is something SIGNIFICANTLY wrong in the manner federal prosecutors have been allowed to litigate cases as if they are in the "Wild West." An excerpt from page three of that Amicus Brief states the following-- No other country criminalizes physician behavior like the federal prosecutors have done in the US. This is especially the case as these cases are ALL based on the "whim" of an expert opinion.

FYI-- TANGENT-- In this case of mine being the exception to the above statement in that THEY couldn't find an EXPERT to testify against me so they substituted an AUSA (Mary Beth "LYING" Leahy) and an FBI Agent (Bryan "Fuhrman" Lacy recently transferred from the Violent Crimes and Criminal Gang Task Force) in place of that PAIN MANAGEMENT EXPERT WITNESS. So my case is somewhat different in that it was based on the "whim" of an AUSA and A FBI Agent.

This whim is then rendered by that government expert and orchestrated by a new generation of OVERZEALOUS (a euphemism for tremendously FASCIST) AUSAs. These UNCHECKED prosecutors make it part of their modus operandi/strategy to point fingers at wealthy doctors and portray them as greedy drug pushers and fraudsters. Doctors are just a "sitting duck" for these federal prosecutors who raid medical offices. FYI-- Unlike career drug pushers(who don't keep records) doctors take notes on patients and it is these records that have made doctors far more susceptible to getting life sentences than many leaders of the Cartel. These cases against doctors by the FEDS is an impermissible invasion of the Federal Government into state affairs where the practice of medicine is to be solely regulated by the State Medical Boards. In fact, litigation in this area has uniformly sided with State Medical Boards, not just as the authoritative body but also as responsible for establishing "standard of care" and "scope of practice." On page 8 of the Amicus the text states-- It is NOT clear as to how prosecutors have lost their way, but it is CERTAINLY clear that they did so because they for so long had an unfettered discretion that has been REPEATEDLY CONDONED by the Courts. We are where we are today because it is NOT feasible to maintain integrity when there is A LACK OF ACCOUNTABILITY with little or NO redress for bringing these prosecutions for personal agenda.

FYI-- I have been FEDERALLY Convicted and had my license REVOKED by three Medical State Boards despite my being DEMONSTRABLY, IRREFUTABLY, SCIENTIFICALLY, FACTUALLY INNOCENT. Nowadays there is a catchphrase to "follow the science" and yet instead of doing such in my case the all the lawyers/Officers of the Court have only followed the GOVERNMENT PROPAGANDA NARRATIVE. No doctor or jury ever found me guilty of any criminal malfeasance and never will.



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[Faint, illegible text block]



TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

FROM: 77307066

TO:

SUBJECT: Judge Diamond has removed himself from my case

DATE: 11/16/2023 10:57:27 AM

I am presently without a Judge presiding over my case since early June. This occurred in very bizarre fashion but its not by any means the first lawless shameful abusive Due Process violation to have taken place in my case. Diamond essentially, inadvertently, removed himself from my case by openly refusing to adjudicate any of my circa 15 motions I made in documents #s 428/431/434. Throughout this entire HAPPENSTANCE, I've resorted to the strategy of utilizing the law AGAINST Diamond's LAWLESS rulings. Obviously I have done such with the goal of "outing" him for being the LAWLESS (FASCIST) Scoundrel that he is. In the 1000+ pages that actually made it to the Criminal Docket which I wrote(that escaped Diamond's SHREDDER), those pages will remain on that Docket for all the world to see Diamond in his FASCISTLY NUDE GLORY. They will be there for posterity. As stated previously, regrettably a number of my very best ones NEVER made it to the Docket. In short, Diamond destroyed them since the motions that I made were ESCULPATORY in ever aspect of the word. FANTASTICALLY/AMAZINGLY, his actions of shredding such continued well past his denial of my motion to subpoena the LOGBOOKS at FDC Philadelphia. Diamond realized he needed to deny(not GRANT that motion) for his very survival/to avoid being indicted by The GRAND JURY for the crimes/counts of Obstruction Of Justice. The subpoenaing of those LOGBOOKS we all know would have proven BEYOND A SHADOW OF A DOUBT that there had been multiple, multiple OBSTRUCTIONS OF JUSTICE perpetrated on me by THE THIRD CIRCUIT'S EASTERN DISTRICT. The very effective motions I have made these last two years were good ones and SOOO effective in derailing Diamond's Agenda that DIAMOND has now(as we all knew he eventually would)RAISED THE WHITE FLAG. And ALL the GLORY will go to the LORD OUR GOD. Documents #428/431/434 in combination with Diamond's no answer replies to those motions PROVE so much. Accompanying those motions were a list of people(people OUTSIDE of Diamond's FIEFDOM and beyond his influence/beyond his ability to intimidate/extort them) who I wanted the Court to send those motions to so they would ALL be privy to the criminal/LAWLESS behavior of HEIR Diamond and the FASCIST LAWLESSNESS occurring in this case-- my case. Quite a few on that list were Diamond's bosses(Yes Diamond has bosses that he needs to be accountable for/to even if he doesn't know it). Prominently, among that group were some of the SENATORS of the Senate Oversight Judiciary Committee(those were the ones my wife could find after GOOGLING and were the only ones of the 17 with DC addresses listed on the Internet). Since then I have found 11 more to join the original six all of whom I mailed ALL a 15 page correspondence chronicling some of Diamond's misdeeds. As per the filing's instructions that are in Docket #428 Diamond alleges that he sent all on the list (that "INCOMPREHENSIBLE" filing as per MEIN FUHRER) of that filing now known to the world as Document #428. HOWEVER, after Diamond thought more and more about what he did-- he inevitably understood that doing such and continuing to do such would lead to the death of his career. A true OMG!!! moment. Understanding the implications of it all, Diamond PANICKED(which he does rather frequently) and then he concluded that going forward he needed to double down on his Obstructions Of Justice and did such in his ruling in Document #432 where he decided TO REFUSE TO ALLOW my Pro Se Document(#431 with its multiple motions that Diamond refused to address) to be emailed/mailed/faxed to ANYONE. He then proceeded to use his "percelved power" TO BULLY Clerk of Court George Wylesol into joining his merry band of loyal SATANIC worshippers into following that lawless order of his in Document #432 to NOT send that filing to anyone. He enlisted Wylesol to join him in his scheme to continue to silence (as much as humanly possible) the WHISTLEBLOWER of 2:19-Cr-00356-PD-1. FYI-- George, I honestly believe at this point you should consider resigning or at least(at a minimum) consulting your own private attorney. This change of heart/strategy by Diamond was rather boldly retarded(for lack of a better word). Diamond actually decided to do all he could to prevent the 17 SENATORS(that are his bosses) and many others of "The Powers To Be" from knowing very much about my case and/or the missing documents in this case. Because of Diamond's growing concerns he imposed his will on George Wylesol(the Chief of Clerk) to aid Diamond in making sure as few people as possible knew as little as possible. He was hoping that they would be unaware of the specifics of this case i.e. the depth and breadth of his depravity/LAWLESSNESS. This was just one more attempt of Diamond's to cover up in a long long list of attempted coverups (which we all know is destined to fail). Wylesol was certainly legally entitled to ignore Diamond's order in #432 being that Congress had directly appointed him to prevent Lawless Judges like Diamond(as a check and balance on their power)from doing certain things that these lawless people are actually doing now. Wylesol needed to do his job as commissioned by Congress to send Document #431 to all I had directed the Court to send them to. These actions by Diamond to block(and now his co-conspirator Wylesol) my WHISTLEBLOWING LAWFUL DIRECTIVES/ORDERS to Wylesol(the Court)were nothing more or less than Diamond being Diamond. Why/How Diamond was able to influence Wylesol to do this LAWLESS action/no action is anybody's guess. Perhaps Mr. Wylesol got confused/disoriented and didn't realize that his true boss was the Constitution and Congress and NOT Devil Diamond. It seems that Wylesol had been afflicted with a severe case(and perhaps a FATAL case of LAWLESSNESS/misguided loyalties). This coercing of Wylesol came but a year from when Diamond got his previous co-conspirator (the old Clerk of Court--Kate Barkman) fired. Unfortunately, Ms. Barkman could be facing criminal charges of Obstruction of Justice. Diamond knows that his very survival as a Judge is completely contingent on keeping people (other than his buddy complicit co-conspirators in the Government and the THIRD CIRCUIT COURT(the most overturned LAWLESS Circuit in the country)) from becoming aware of the specifics of his criminal shenanigans. I realize that my goal as THE WHISTLEBLOWER and survival is completely







TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

dependent ON MY GETTING THE WORD OUT. With this suppression of Document #431 Wylesol has been now officially been pulled over to the dark side. His instructions from Diamond were clear-- DO ALL YOU CAN, BY GEORGE, to keep the word from getting out. A silencing at all costs-SHH!!!! This a classic battle between GOOD and EVIL i.e.. The Lord and the Devil. Once again George-- don't let Diamond do the Devil's bidding.

At this point Mr Wylesol I would advise you to do one of the following

-- RESIGN NOW OR alternatively secretly

-- Join me in my fight to Be a WHISTLEBLOWER on Devil Diamond. Pick up your sling shot and join the resistance and notify all on how Diamond operates/who he truly is behind that thinly veiled facade. Do your best to NOTIFY THE WORLD as to the things that Diamond does which compel the COs at FDC to refer to him as a "piece of shit." Secretly make sure all those who are at risk of becoming indicted or unindicted co-conspirators are aware of all my filings against the "GOAT" of all FASCIST Judges

-- Consult your own private attorney to make sure you do all you can to avoid being charged later in this case when I will inevitably prevail in getting the WORD OUT FYI-- I've recently (i.e.. mid June) notified 17 of Diamond's bosses i.e.. the Senators on the Judiciary Oversight Committee of Diamond's malfeasances. That being said, we now are faced with a Constitutional Crisis of sorts as the system of checks and balances mandates said such should occur in a healthy "just" system of Government.\*\*\* Following this correspondence is a copy of the docket. This copy shows Diamond has, unequivocally, REFUSED to rule on any of my very powerfully strong motions in both Documents 428/431. While he says its "INCOMPREHENSIBLE" to him, I have taken a MENTAL CAPACITY objective exam performed (by Diamond's lady of choice) whose testing put me well within the top 1%. Now that Diamond has stated on the RECORD that he can't comprehend someone who is in the top 1%, it's now time to COMPEL the Evil Judge to get testing of his own. While it goes without saying that Diamond lacks the mandatory ethics for being a Judge, it remains unsettled as to whether or not he also lacks the MENTAL CAPACITY to do such Judging. From the rulings he has made in the past, that evidence argues strongly against any assertion on his part that he STILL does. Now that Diamond has opted to go "as radically provocative as it gets" with this latest rulings/no ruling strategy, I need to move onto his buddy-buddy bosses at the THIRD CIRCUIT to look for a resolution to my motions. I'll do so in an attempt to get the THIRD to either rule on them themselves or recuse themselves and transfer that Appeal to any other non-conflicted Circuit (the other 10 neither of which is the most overturned LAWLESS Circuit in the country) to get actual rulings on these motions of mine. The THIRD needs to GRANT ALL my motions simply as a partial "cure" for all the malfeasances/Due Process violations to my Constitutional Civil Rights. As an aside--I can't imagine Diamond actually has a law clerk who researches for him to give him his rulings that are well beyond bizarre. Going forward, I will rightfully/lawfully send all my future filings to the THIRD CIRCUIT until the THIRD CIRCUIT provides me with a better true option. With those filings, I will ADDITIONALLY ask them to relieve me of Diamond who is trying to FASCISTLY BULLY his way through my case and my Pro Se filings. I am trying here to do my best in this case to transform this case from a case in which a FASCIST Judge is doing what he wants to do to achieve his ultimate goal of killing me(that's what FASCIST EVIL JUDGES do to those who dare to be WHISTLEBLOWERS) to a criminal case actually based "on the rule of law." Furthermore, going forward in my filings to the THIRD CIRCUIT, I will be DEMANDING they send this filing (and all future filings) to all Diamond's bosses and his co-conspirators. I will, once again, be delivering the THIRD CIRCUIT my thorough (but not entirely conclusive list) of those people. I believe in doing such, I will be fulfilling my patriotic duty to do what I can to help institute/establish healthy checks and balances(so as make him the quite dishonorable Judge Paul SS Diamond accountable for his actions(i.e. The GOAT of all Fascist Judges)). Unfortunately, Diamond fell prey to the disparity in power between himself and the hapless, hopeless Criminal Defendant-- me. We call Judges your HONOR not because they always behave Honorably but because we need to remind them to be on their honor being that Lord Acton's quote is undeniably correct-- Power corrupts and absolute power corrupts absolutely.

In Document #434 I highlighted Diamond's SOPHOMORIC MACHIAVELLIAN STRATEGY to avoid addressing my substantive legal issues in the motions within Documents 428/431. In order to avoid from ruling on Document #434's 9 motions and to NOT repeat again his foolhardy claim that those motions in 428/431 were "INCOMPREHENSIBLE," Diamond switched to another Fascist strategy(which he presumably pulled up from his Rolodex of Fascist strategies). He listed that Document #434 NOT as he rightly should (as he did in #428 and #431 as a Document THAT INCLUDES MOTIONS OR CLAIMS FOR RELIEF (that it is)) but as simply a "Pro Se Letter to Andrew Berkowitz". Now with Diamond not having ruled on any of the motions in Documents #428/431/434 it became clear to me that Diamond had given up on trying to work his lawless agenda. Diamond had backed himself into a corner or as the Bible says-- he had dug a pit for me to fall into and fell into it himself.

It became clear that Diamond had forever abdicated his role as my Federal District Judge i.e. he had raised the white flag after putting himself in a twister. Oh what a web we weave when we first intend to deceive. That being said in my next DC Federal Court filing (in Document #436) I was forced to send that to the THIRD CIRCUIT COURT OF APPEALS as a Notice of Appeal. This document was dated on the criminal docket 6/30/23 and entered 7/5/23. I demanded that the THIRD CIRCUIT COURT OF APPEALS assign me a new Judge to hear my District Court pleadings being that Judge Diamond had effectively removed himself from the case.







TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-V-A

FROM: 77307066

TO:

SUBJECT: Both Lawyerless and Judgeless in the THIRD CIRCUIT

DATE: 07/29/2023 08:44:47 PM

My lawyers were perturbed by my persistence that they do what was in MY best interest rather what they perceived as in THEIR best interest. It was clear to me that should I compel them to follow the law/their sworn vows to serve as both Officers of the Court AND my zealous advocate that, that would be in my best interest. I insisted that they (Wandner and Feiler) do the following

- join a number of my Pro Se Litigant Motions i.e. Subpoena the Logbooks, Demand the Judges recusal, insist that my Appeal be heard by any other Circuit in the Country other than the highly conflicted Third Circuit
- make the robbing of my due process rights by Diamond and his three stooges in the Third Circuit as the focal point of his Writ of Certiorari to THE COURT

- make the criminal referrals to both the Attorney and Inspector Generals

I was unwavering on these points. My lawyer team made it clear to my lawyer son Adam that should I continue to persist on insisting they follow through on my desire that they do MY directives/the law's directives above that they would abandon me and my cause. The fact that I had a retainer agreement and they had taken a oath to be both Officers of the Court AND my zealous advocate would take a back seat (a Rosa Park's seat) to their carnal/demonic desires. They explained/bragged to Adam that they were on the "outside" and hotsy totsy criminal defendant lawyers from South Beach and I was on the "inside" their NIG-A CONVICTED defendant client and that entitled them to slice and dice me however they chose. They further went onto state that not only were they free to do WHATEVER THE HELL they wanted but I had no recourse should they do such. They explained to him that the law gives them the choice to take whatever strategy they choose and they are immune from any legal action against at all for doing such. However, like everything else here in this case they are wrong. The law does protect them from frivolous lawsuits from defendants and does permit them to choose the strategy of their choosing PROVIDED that strategy was chosen in GOOD FAITH as being in the best interest of their client. As I continued to press on to have them do "the right thing," they made good on their promise to withdraw from my case. As Martin Luther King always espoused-- It is never your enemies that speak out against you that's the problem but your "friends" who don't speak up. Not surprisingly my legal team of J+J withdrew from my case and did so in complete lawless fashion. They did so without applying to the Court for permission. Despite my having a contract in which I paid Feiler to do ALL the necessary work (on a retainer basis) pre-sentencing and his buddy Wandner (a lawyer who specializes in Appeals Cases) ALL the necessary work post sentencing (on a retainer basis) they simply withdrew without asking Diamond's court for permission (or even doing the courtesy of notifying his court of their decision). Having viewed how Diamond runs his Kangaroo (deny all Due Process to the defendant /hang the NIG-A defendants high) Court, they knew that, that wouldn't be necessary. They withdrew on their own well before even the very basic/essential mandatory processes had been worked through. Not only did my legal team NEVER make even one motion (nor spend one minute regarding the 8+ million dollars stolen by the GOVERNMENT despite their being on a retainer agreement mandating that they did such FYI-- A truly advocational diligent competent law team might have spent hundreds of hours doing such saving me millions of dollars out of the pure lawlessness of the forfeiture sentencing by Diamond) they allowed the GOVERNMENT to ILLEGALLY garnish at least 400,000 dollars more (to my knowledge from prison) than even Diamond's sentencing permitted them to. My team somewhat rather stealthily removed themselves from my case April 4th 2023. The Government had already started the process to irrefutably steal more than 400,000 in restitution than I had been sentenced to. They had given my team up until April 11th to respond to their proposed Garnishment. FYI-- When the DOJ found out that Wandner had illegally withdrawn from my case prior to their April 11th deadline for them to respond (to which Wandner never responded) and far earlier than when the Government moved for the final garnishment to occur (April 21) they never notified the court that my legal team had withdrawn well in advance of April 21. Because of such that made the execution of that Garnishment completely illegal being that, that occurred when I was irrefutably 100% lawyerless FYI-- My lawyers never made me aware of any of this and the DOJ only made me aware of these occurrences months after the final garnishment had occurred. When I found out that the final garnishment was done without due process/illegally I immediately made the DC aware of such in document #428. I informed the court of the need to (through motions) to

a) Get my lawyers back on the case

b) Undo the garnishment order and take actions to "cure" the illegal actions perpetrated against me by "The Powers To Be" To these requests/motions (and a number of other substantive legal motions) made, Diamond responded in his order in Document #429 with a one word response that my motions were "IMCOMPREHENSIBLE" (and yes he did spell it with a "M") Diamond was in between a rock and a hard place. Diamond knew my motions were bulletproof and yet he felt an undying loyalty towards his previous fascist, heinous rulings. Additionally, he had no inclination to "cure" nor sanction my sychophantic traitorous lawyers who had followed Diamond's script to betray me (on a wink and a nod) to the letter. That being so, with Diamond's perverted way of thinking, that left him only the option to assert (to this ninety-nine percenter) that my motions were "IMCOMPREHENSABLE". As you clearly see, I clearly see and now hopefully you can also clearly see, that his order-response in Document #429 that was the raising of the "white flag" and his swan song in case 2:19-cr-00356-PD-1 (we need to remove that "PD"). My lawyers removed themselves from my case early April and the Judge removed himself with his order/document







TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-V-A

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#429 in early June. And yet, here I sit in Fort Dix in this illegal incarceration under the auspices of the THIRD CIRCUIT (the most lawless/overturned circuit in the country) being both judgeless/lawyerless. Here I remain waiting for the THIRD CIRCUIT to take their good old time in deciding whether they want to bury the LOGBOOKS (and forever join the conspiracy to Obstruct Justice from occurring in my case) or to grant my Appeal to SUBPOENA those LOGBOOKS which will only go to confirm that the DISHONORABLE JUDGE Paul SS Diamond truly deserves/has earned his legacy/title as being the "GOAT" of all FASCIST JUDGES. While this case truly has become a CANCER ON THE THIRD CIRCUIT the "wise men" of that circuit only presently see it only as a nuisance. They have no inclination to do the "right thing" on their own i.e. give Diamond and his thugs their "come upins". They have grown both accustom and to relish their being the law rather than following it. Following God's law is entirely out of the question. They have chosen to play God, rather than to fear him. They just want it to go away- they have left me lawyerless and judgeless and WILL keep it that way if you let them. Being an "ostrich with its head in the sand" has "worked" in the past. Why wouldn't it work now? Burying THE GOOD DOCTOR and his case has a great ring to it to their ears and much appeal for them. Why you ask? Because that's what Fascist Judge do. I urge you to CHOOSE NOT to let them do it!! All it takes for evil to triumph is for good, good people like yourselves to remain silent. We all know that the price of freedom is eternal vigilance and I'm clearly asking for your help NOW by paying that price NOW. In Jesus' name I pray.

06/07/2023 428 (PRO SE) LETTER MOTION TO DECLARE FILED BY ANDREW M. BERKOWITZ. (ke) (Entered: 06/09/2023)

06/09/2023 \*\*\*Case Reopened as to ANDREW M. BERKOWITZ (mac) (Entered: 06/09/2023)

06/09/2023 429 ORDER THAT [ DOCUMENT 428] INCLUDES MOTION OR CLAIMS FOR RELIEF, ARE DENIED A IMCOMPREHENSIBLE AS TO ANDREW M. BERKOWITZ (1). Signed by HONORABLE PAUL S. DIAMOND on 6/9/23.6/9/23 ENTERED AND COPIES MAILED AND E-MAILED.(mac) (Entered: 06/09/2023)

06/09/2023 430 EMPLOYER CERTIFICATION SF-329D FORM BY THE VANGUARD GROUP, INC. AS TO ANDREW M. BERKOWITZ (tomg) (Entered: 06/12/2023)

06/12/2023 431 (PRO SE) MOTIONS by ANDREW M. BERKOWITZ. (tomg) (Entered: 06/14/2023)

06/15/2023 \*\*\*Case Reopened as to ANDREW M. BERKOWITZ (tomg) (Entered: 06/15/2023)

06/15/2023 432 ORDER AS TO ANDREW M. BERKOWITZ (1) THAT DEFT'S LATEST FILING (DOC. #431) INCLUDES MOTIONS OR CLAIMS FOR RELIEF, THEY ARE DENIED AS INCOMPREHENSIBLE. Signed by HONORABLE PAUL S. DIAMOND on 6/15/2023.6/15/2023 ENTERED AND COPIES NOT MAILED AND E-MAILED (tomg) (Entered: 06/15/2023)

06/16/2023 Document 432 mailed to ANDREW M. BERKOWITZ (mac) (Entered: 06/16/2023)

6/22/23 434 Pro Se letters to Andrew Berkowitz







06/09/2023

\*\*\*Case Reopened as to ANDREW M. BERKOWITZ (mac) (Entered: 06/09/2023)

06/09/2023

429

ORDER THAT [ DOCUMENT 428] INCLUDES MOTION OR CLAIMS FOR RELIEF, ARE DENIED AS INCOMPREHENSIBLE AS TO ANDREW M. BERKOWITZ (1).  
Signed by HONORABLE PAUL S. DIAMOND on 6/9/23.6/9/23 ENTERED AND COPIES MAILED AND E-MAILED.(mac)  
(Entered: 06/09/2023)

06/09/2023

430

EMPLOYER CERTIFICATION SF-329D FORM BY THE VANGUARD GROUP, INC. AS TO ANDREW M. BERKOWITZ (tomg) (Entered: 06/12/2023)

06/12/2023

431

(PRO SE) MOTIONS by ANDREW M. BERKOWITZ. (tomg) (Entered: 06/14/2023)

06/15/2023

\*\*\*Case Reopened as to ANDREW M. BERKOWITZ (tomg) (Entered: 06/15/2023)

06/15/2023

432

ORDER AS TO ANDREW M. BERKOWITZ (1) THAT DEFT'S LATEST FILING (DOC. #431) INCLUDES MOTIONS OR CLAIMS FOR RELIEF, THEY ARE DENIED AS INCOMPREHENSIBLE.  
Signed by HONORABLE PAUL S. DIAMOND on 6/15/2023.6/15/2023 ENTERED AND COPIES NOT MAILED AND E-MAILED (tomg) (Entered: 06/15/2023)

06/16/2023

Document 432 mailed to ANDREW M. BERKOWITZ (mac) (Entered: 06/16/2023)

6/22/2023 434 Pro Se Letters as to Andrew Berkowitz

CRIMINAL DOCKET FOR CASE #: 2:19-cr-00356-PD-1

12/08/2023

444

(PRO SE) NOTICE OF APPEAL by ANDREW M. BERKOWITZ. (FILING FEE NOT PAID). (tomg)  
(Entered: 12/12/2023)

28 Page document about your case to the Appeals Court

12/11/2023

12/12/2023

446 (PRO SE) NOTICE OF APPEAL by ANDREW M. BERKOWITZ. (FILING FEE NOT PAID). (tomg) (Entered: 12/12/2023)

38 Page Filing Titled Notice of Appeal

12/26/2023

448

(PRO SE) MOTION TO GRANT TWO POINT REDUCTION AND MOTION TO RECUSE FILED BY ANDREW M. BERKOWITZ. (ke) (Entered: 12/28/2023)

01/02/2024

\*\*\*Case Reopened as to ANDREW M. BERKOWITZ (tomg) (Entered: 01/02/2024)

01/02/2024

449

ORDER AS TO ANDREW M. BERKOWITZ (1) THAT THE DEFT'S PURPORTED "MOTION" (DOC. #448) IS DENIED WITHOUT PREJUDICE AS INCOMPREHENSIBLE. Signed by HONORABLE PAUL S. DIAMOND on 1/2/2024.1/2/2024 ENTERED AND COPIES MAILED TO PRO SE AND E-MAILED..(tomg) (Entered: 01/02/2024)

In The 25<sup>th</sup> motions I submitted in filings # 428/

431/434/448 Judge Diamond had

- declared the circa ten motions as only Pro Se letters  
in filing document #434 obviating him from ruling on such

- declared the circa twenty motions in #428/431/448 as "INCOMPREHENSIBLE"

In essence his rulings were not rulings. Diamond neither ruled by citing legal precedent or any legal rationale. ~~DENY~~ ~~DENY~~ ~~DENIED~~







EXHIBIT

H,

TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

FROM: 77307066

TO:

SUBJECT: As LAWLESS as it gets-- Document 331 page 5

DATE: 12/22/2023 05:41:59 PM

In Document #331 on the Criminal Docket Page 5 The Dishonorable Judge Paul SS Diamond openly declared (by fiat) the DEATH of "The Rule of Law" in this country. Later the THIRD CIRCUIT chimed in their praise for his ruling/pronouncement. The THIRD CIRCUIT Court of Appeals steadfastly affirmed the DEATH of "The Rule of Law" in their affirmation of his rulings in 2:19-cr-00356-PD-01. Apparently they will defend Diamond to the end against ALL WHISTLEBLOWERS being that he is "THEIR BOY" AKA The Chief (document shredder of documents exculpatory to a defendant's innocence) Shredder of the Eastern District's THIRD CIRCUIT AKA the "GOAT" of all Fascist Judges.

In that document(on page 5) SS Diamond stated, in the light of day, that "IT IS POINTLESS" that the DOJ (in my THIEFDOM during MY REIGN OF TERROR) even attempt to establish any factuality to the charges he was indicted on. The fact that the DOJ outed themselves to having no evidence indicating any factuality (of guilt) to the statute of health care fraud is irrelevant to this case (and any other case) in his courtroom. Diamond believes that if you can obtain a confession from a defendant that has zero factuality to it i.e. if I pled to killing Lincoln and Kennedy on 9/11/2001 that, that achievement by the DOJ should NOT only NOT be declared "null and void" but should be wildly applauded. Once again, the THIRD CIRCUIT's affirmation of THEIR BOY's "as Fascist as it gets" proclamations in effect was equivalent to their smearing feces all over their faces and up their nostrils. Hey don't shoot me, I'm just the messenger.

I have been told(by people in a position to know) that Diamond most appreciates and applauds when the DOJ is able to get a defendant to plea to guilt when they have ZERO EVIDENCE towards his guilt(in my case they extorted such "ill gotten" pleading through the proverbial making me the offer I couldn't refuse i.e. sign on the line-- be a good boy and take the deal of 5-6 years (made in WRITING on their nefarious transmittal letter or face the consequences) or alternatively get super indicted for MURDER). To Diamond that "successful extortion" by the DOJ is a far greater achievement when they can get someone to plea to guilt when the DOJ has a mountain of evidence against them. Diamond realizes/greatly appreciates the fact that you can't get 98.3% to plea if you aren't able to get some COMPLETELY INNOCENT GOOD DOCTORS to plea falsely to crimes not committed. The fact that he convicted a DEMONSTRABLY IRREFUTABLE innocent good doctor is almost as SATANICALLY GLORIOUS as it gets. And yet in this case what makes that VICTORY for Satan all the more glorious is that the innocent defendant was also THE WHISTLEBLOWER on the THIRD CIRCUIT's Eastern District. The proverbial killing of two birds with one stone. And all his Glory goes to his master(SATAN)

FYI-- The Third Circuit Court of Appeals has threatened the WHISTLEBLOWER should he not muzzle himself from being a WHISTLEBLOWER on them they may sanction him for such. That's why here I will assert NOW my first Amendment Rights to WHISTLEBLOW while at the same time showing the THIRD CIRCUIT all DUE respect. Once THE LOGBOOKS GET SUBPOENAED all the truth about who the THIRD CIRCUIT is will become readily apparent to the world(just as the Pentagon Papers revealed the Evil Empire's invasion of NEUTRAL Cambodia) Without a doubt, this case is a classic battle of GOOD versus EVIL. This case 2:19-cr-00356-PD-01 USA(AKA the Evil Empire) v Andrew M Berkowitz(and the Lord Our God-- being I'm the one that Jesus loves) is a case where the THIRD CIRCUIT has historically elevated my status by placing me in the group of Socrates/Mandela/Gandhi and Jesus Christ and his Apostles who also paid the price of the righteous who were also wrongfully convicted by the followers of Satan. While elevating me they concurrently lowered themselves and placed themselves with a peer group comprised of (i.e. The Inquisitors of Spain, the Judges of Salem, Moscow and Berlin, the members of Senator Charles McCarthy's Committee on American Affairs among other historically infamous Judges of our time

This is the case-- there are no other cases. This case will define the legacies of all who are exposed to it. It would not shock me if ENTIRE US GOVERNMENT will be ensnared in this case for the lack of even one righteous man. NO PLAUSIBLE DENIABILITY will be afforded as a safe harbor to any in our Government in this case from the wrath of God and his followers. After the battle is completed "NO SWITZERLANDS" will survive this classic battle between Good and Evil. We've learned much from this case about the REAL America which has little in common with the Government Propaganda America. This is the same America who declared war/waged a genocide on the peace loving Indians. They did such morally justifying it with their credo that as being such justifying their talking point that the only good Injun was a dead one. We have learned in this case that

--Diamond is a Judge who interpreted the Legal Precedent of THE COURT that declared a Change of Plea(which was requested in the first week post pleading by me) NEEDS to be "FREELY GRANTED" to mean that the change of Plea be NEVER GRANTED(as evidenced by his 20 years on the bench ALWAYS denying such has clearly demonstrated)

--It shows that the THIRD CIRCUIT Court of Appeals has the fondest regard for their brethren (the more FASCIST the Federal District Court Judges are the greater their affection/loyalty as demonstrated by their steadfast radical loyalty to THEIR CHIEF SHREDDER). To the THIRD CIRCUIT The Rule of Law/Constitution/sworn vows are irrelevant in a case where a righteous





[The following text is extremely faint and largely illegible due to the quality of the scan. It appears to be a multi-paragraph document, possibly a letter or a report, with several lines of text visible across the page. The text is too light to transcribe accurately.]



Exhibit

H<sub>2</sub>

TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

DOCTOR WHISTLEBLOWER is threatening to expose THEIR GUY for the evilly demonic "Judge" he is --This case proves that the Government DOJ's Attorney General, Merrick Garland, only cares about going after Trump and his Republican allies who denied him his position on the Supreme Court that he "rightfully deserved." He is obsessed with and haunted by(in Macbeth fashion) by his belief that his birthright was denied him by partisan politics. He clearly has a singularity of focus to avenge said such denial. His actions prove so much. His present behavior of using his position of power as a weapon is beyond shameful, to do such. He has apparently decided to their partisanship by a partisanship never achieved before in our country-- being even more political than they are. He has declared open war on the true "Rule Of Law." That Rule Of Law will be interpreted by him and him alone. He will employ those varied interpretations whenever he wants, for whatever reason he wants and to whomever he wants. In this case, having no interpretation of that "Rule Of Law" that he perceives will benefit his personal agenda he will simply ignore that "Rule Of Law." He will play Sergeant Schultz of Hogan's Heroes role to perfection(recite that script verbatim) and be that see nothing, do nothing Attorney General that has made him the darling of all Fascist Government Judges. This case has proven beyond any shadow of a doubt(if there was any doubt prior to this case their can be none now) that SHOULD A JUDGE ALWAYS RULE FOR THE GOVERNMENT they, their families and all future generations to follow(their legacies/revenants) will be granted 100% immunity FOR LIFE from any lawlessness committed past/present/future. Such is the nature of the DOJ and their head the Attorney General.

--Additionally, this case proves that the Senate and House Judiciary Committees, The Inspector General and the US Administrator of Courts , House Congressional Minority leader Hakeem Jeffries and Senator John Fetterman(and this list continues to grow weekly as one can see from my list of Government Officials receiving CERTIFIED mail in my case) are all good team players of TEAM GOVERNMENT. Despite their PR talking points they are not at all interested in serving the people and following their sworn vows. These officials receiving CERTIFIED MAIL apparently are solely interested in enslaving the people which can most easily be obtained by maintaining THE ORDER. With that order being that for every one rich person in this country there are 250,000 not so rich people that have the same wealth as the one. AND that is the ORDER THAT WILL BE MAINTAINED-- To The Victors Go The Spoils. Of course, their true guiding light is the polar opposite of the POLITICIANS listed above TALKING POINTS. They define a great politician as one who excels at both talking the talk and walking the complete opposite of their talk. That's why they fancy themselves as seasoned political savants(in Emperor has no clothes fashion)

While I'm in no way guilty of the statutes (prima facie) in that the FBI's 4 year investigation failed to uncover a scintilla of evidence to such-- I am not free of sin.

I sinned against the Lord in a variety of ways

-- I actually bought into the GPM (Government Propaganda Narrative) that the Government are the "GOOD" people and the criminals are the "BAD" people. Our forefathers knew differently and proved such by passing the Second Amendment(the Amendment that protects ALL the others) so the people could protect themselves from the Government moreso than protect themselves from the criminals. The non-stop propaganda put on the Government controlled media in which the TV stations have aired 50,000+ episodes of Law and Order/The "NEW" FBI(LOL) etc.. etc.. over my 60+ years had very effectively brainwashed me. In my case there were some 60+ misconducts by the FBI/DOJ/Courts(all done on the pretext by the Government of nothing ventured, nothing gained) That is more misconducts committed by the Government in my one case in REAL LIFE than was captured on the fake news TV in the 50,000+ episodes from that Government Controlled Media The "Forces That Be" clearly have as their agenda to kill me and all my fellow whistleblowers. They wish to do so because I'm F'ing with their sweet gig i.e. the status quo and that WILL NOT BE TOLERATED and will be stopped at all costs(Jeffrey Epstein learned as much) Now after God weighs in we're gonna see just how this turns out-- GET OUT YOUR POPCORN!! American Exceptionalism at its "finest" being that we're INDISPUTABLY number 1 out of 253 nations with our 99+% conviction rate, our denying 98.3% their right to trial and our 87% recidivism rate. While the US wants to portray this Good Doctor to be the equivalent to the Nazi's Dr Mangala they are trying to do such by outdoing the Nazi's Goebbels.

-- I sinned against God by giving into the Evil Empire's murder extortion to falsely plea

-- I remained silent when I was on the winning team when I saw that team pummeling the weak/dysfunctional.

Our Government in this case has proven to this point in time that

-- A judge and anyone The Powers That Be deem as a above the law will never be prosecuted

-- They are all GODLESLEY SATANIC and all in it together for lack of any man who chooses to follow God

In short they've proven that 90+% of their righteous morality preaching aren't worth the paper they are printed on

So what's new?? The more things change, the more they remain the same-- we're being true to our roots

And all the glory will go to SATAN!!







Exhibit



TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-V-A

FROM: 77307066

TO:

SUBJECT: It is 100% INAPPROPRIATE that Judge Paul S. Diamond

DATE: 08/19/2023 11:24:34 PM

remains on the bench

When your 95 year old parent continues to drive their car and is a PROHIBATIVE hazard to ALL on the road we need to NOT blame that parent so much for wanting and continuing to drive as we should rightly hold those POWERS TO BE for allowing them to continue to drive. By definition someone who is COMPLETELY INSANE won't realize such insanity and they need to be regulated by those who aren't truly insane. Such is the GOVERNMENT's obligation/responsibility when dealing with Federal District Court Judges who have "lost it" somewhere along the way. He has lost his way and WE (as an alleged decent country) need to escort him out of the building. The evidence for sometime now has been "OVERWHELMING" that he should not have been presiding over my case (and quite possibly any other case). While some may argue that his INAPPROPRIATENESS stems from a "cold heart" others may believe his LAWLESSNESS comes from a defective brain. Irrespective of people's differences in their different beliefs as to why he's INAPPROPRIATE to remain on the bench, the evidence of such is indisputably "OVERWHELMING". Some will assert that his 100% inappropriateness is 80% heart /20% brain and others would come to the inverse conclusion- 20% heart/80% brain. And yet the commonality of thought from those impartial observers is, anyway you cut it (i.e. break it down), the numbers add up to 100. At this point the when, where and how he got to 100% is of little concern for me. In the movie "Silence of the Lambs" the FBI agent played by Jodie Foster was a FBI Forensic Psychologist. I believe it best that we should leave it up to that division of the FBI to make that determination. While I'm not so concerned with that issue, I AM QUITE CONCERNED AS TO WHY HE REMAINS ON THE BENCH TO THIS VERY DAY! Let me repeat, at this point, as a patriotic citizen of this country, that used to be decent (lets Make America Decent Again), I'm very troubled by his supervisors (The Powers To Be) watching him "do his thing" in the Courtroom completely unfettered. Watching him do so is remarkably similar to watching the parent crashing into one car after another in the parking lot (like a crash car derby) and doing NOTHING. We all know that the price of freedom is eternal vigilance, so why is it that our GOVERNMENT has decided to not pay that price- right here- right now? While some in the Government might TRY to claim that they had "plausible deniability" in regards to his shredding of my 10 motions, it's much harder for them to explain their indifference to the FASCISTNESS of Document #198 (The Impeachment Document). Clearly, that document was buried and then resurrected by Diamond. Equally clearly the "resigned in Disgrace" Barkman was a co-conspirator. She, as a superior inferior, didn't do her job of date stamping that Pro Se Litigant Filing on arrival and then logging that filing in her logbook on arrival. She held off on such choosing to wait to see if Diamond wanted to shred that document or post it. That is why it was date stamped 16 days later at the Eastern District Courthouse from the time it was served at FDC Philadelphia one half a block away from that Courthouse. The Judges behavior was "as FASCIST as it gets" in regards to his treatment of my Pro Se Litigant Filings (now known as Documents #428, 431 and 434). That treatment goes to prove that he needs to be somewhere (be that a prison/sanitarium/nursing home or at the Jersey Shore in his retirement home)/anywhere other than being on the bench determining people's futures. He lawlessly claimed in document ruling/order #429 that my 7 substantive motions in document #428 were INCOMPREHENSIBLE (with a "M") In document ruling/order #432 he again stated that my 8 substantive motions in document #431 were "INCOMPREHENSIBLE." Then he really went rogue in regards to my filing (now labelled document #434) by claiming that that document didn't even contain but one motion (when it contained 9 that were undeniably motions to the court seeking relief) by labelling that filing as a mere "Pro Se Letter." Undoubtedly, Diamond did these malfeasant Obstruction Of Justice Sophomoric Machiavellian Maneuvers for one purpose and one purpose only- to avoid having to make a true Judge's ruling on any of the 24 motions I made there. Diamond was determined not to rule on any since, at this point (having backed himself into a totally nondefinable, nonsensical position- Oh what a web we we weave when we first intend to deceive), there was no ruling(s) he could make that wouldn't go towards destroying (let alone advance) his demonic agenda to have me die a hapless, broken penniless man. Let's now explore the motions that Diamond claimed that the 99%er (me) made that were "INCOMPREHENSIBLE."

Document #428

- 1) Motion To Subpoena the Logbooks (which he denied as "INCOMPREHENSIBLE") that I am appealing presently. I'm appealing it from both the standpoint of it truly being COMPREHENSIBLE and also that his denial of such was done To Obstruct Justice and prevent me from getting my Constitutional Due Process Rights.
- 2) Motion To Preserve the Logbooks and Video From FDC Philadelphia. While I realize at some point some lawful Court will grant my motion to subpoena both logbooks and video, being that I'm not sure when that will happen, I want to be on the record specifically requesting that they be preserved. I'm doing such as a preemptive strike to thwart any desire the GOVERNMENT might have to destroying such logbooks/videos.
- 3) Motion To Impeach the Judge. I wanted this motion to already be in place (i.e. having the gun already "cocked") to be utilized (not presently but) once the LOGBOOKS are released and those logbooks prove the Judge to be unfit for being on the bench
- 4) Motion To Sanction All the "Officers Of The Court" In the THIRD CIRCUIT In This Case- who were aware of the Judge's Obstruction of Justice and yet refused to do their sworn duty as "Officers of the Court" (including but not limited to the DOJ







Exhibit

I<sub>2</sub>

TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-V-A

and my traitorous lawyers who told me to go easy on him because he knew what he did (implying 100% MENS REUS)

5) Motion To Get My Lawyers Back On My Case After Lawlessly Withdrawing. My lawyers withdrew from my case without seeking court approval for such and without having another law team replace them leaving me lawyerless.

6) Motion To Undo the Final Garnishment Order. The Government stole at least 700,000 dollars they weren't entitled to as per the Judge's sentencing decree. When the final order was put in I had been lawyerless for weeks and thus hadn't had any possibility of adversarial arguing against the Government's plan that was indisputably LAWLESS in more ways than one

7) Motion To declare the GPM/Pleading Null and Void- Due To It Being Both Ill Gotten and Non-Factual

Document #431

1) Motion To Obtain All the Grand Jury Testimony (Especially the Jury Instructions) The AUSA Leahy proved in Document #301 page 16 that she had no idea what the statute for Health Care Fraud was nor did she care to since the evidence was "OVERWHELMING". That being said, I'm 100% convinced that her Jury Instructions to the Grand Jury was so completely LAWLESS that once uncovered (and gotten before a "Just and Fair Judge") it's inevitable that this whole indictment will be thrown out.

2) Motion For The Government To Turn Over All Of Diamond's Past Ruling Records Regarding His Track Record (Rulings) Specifically Relating To Ineffective Assistance Of Counsel/Change Of Plea Motions (that are to be Freely Granted).

3) Motion To Explore The Total Compensation Package For (the "Resigned In Disgrace" Co-conspirator Of Judge Diamond In his Obstruction Of Justice Scheme) Clerk of Court For The Eastern District Kate Barkman (so as to incentivize her to keep her silence in regards to her and Diamond's criminality)

4) Motion To Investigate The Who/Why/How/When Barkman Was Forced To Resign

5) Motion To Readjudicate Some Of Diamond's More lawless Rulings (being that he should have and now will be removed as the Judge from the bench and specifically from my case (having clearly violated the Kensington International Precedent))

6) Motion To Remove Diamond From My Case On An Emergency Basis (he actually did this himself (of his own accord) in early June) due to His Being The Chief Shredder

This is but some of those "INCOMPREHENSIBLE" motions he REFUSED to rule on- that the THIRD CIRCUIT has refused to do so also. And yet, the THIRD CIRCUIT Court of Appeals was given the opportunity "to cure" Diamond's malfeasances i.e. take the dam keys away from this SOB Bastard Judge who prides himself on being both the Chief Shredder of the Eastern District and the "GOAT" of all Fascist Judges. THEY FAILED to do their sworn duty to uphold the Constitution. They Failed. They Failed. They Failed. The failing of Judges Ambro/Porter/Shwartz (Diamond's three stooges) resulted in two things-

1) The stooges forever cementing their legacy in doing such i.e. by denying my Appeal/smearing feces all up their nostrils and on their faces

2) Proving that the THIRD CIRCUIT is incapable/unwilling to police themselves in this case where THE WHISTLEBLOWER has caught the EVIL DEMENTED Judge TEARING UP his motions/ripping up his Civil Constitutional Due Process Rights Diamond was steadfast in his desire to DENY this GOOD DOCTOR his day in court (to be judged by a jury of his peers) in a case where

- The Grand Jury was given bizarre Jury Instructions that not even lawyers who are Constitutional Scholars could understand
- The DOJ had no idea what the Health Care Fraud Statute was (nor did they particularly feel that was necessary)
- "LYING" Leahy declared, in the absence of one scintilla of evidence in support of my having violated the Health Care Fraud Statute, that "the evidence was OVERWHELMING." There she goes again- "LYING" Leahy doing her thing. A Special Counsel wouldn't be invested in the following which Diamond et al (with the et al being a PROHIBITIVELY HUGE FRACTION OF THE "OFFICERS OF THE COURT" in the THIRD CIRCUIT) will fight to the end to insure
- making sure that I am part of the 98.3% each year (and much higher percentage in King Diamond's Kangaroo Court) who are denied "their day in court" each year. Diamond believes he's much smarter than the peasant jurors (when he is anything but being truly only more arrogantly evil with his own agenda) He has never granted a defendant, who through a GOTCHA moment, was extorted by the DOJ to falsely plea to guilt his "Change of Plea (that I have fought for since declaring that desire within the first week post pleading) Motion". Diamond is not the sharpest tool in the shed but certainly the most crooked one. Diamond et al will do all they can to insure the LAWLESSNESS of the THIRD remains a BURIED secret from the American public. They will make sure that the DEMENTED EVIL Judge Diamond remains on the bench slicing and dicing N-GGA defendants of their right to Due Process. It is bad enough that in the Eastern District over 99% are found guilty and over 98% are denied a trial by people who are NOT their peers. The politicians have gerrymandered the Eastern District to the point (by shipping in jurors from Bucks and Montgomery Counties (very few being jurors of color) to persecute defendants of Philadelphia county (mostly people of color). This gerrymandering has had its intended effect resulting in circa 85% of jurors being of non-color with 85% of defendants being of color. Years after proving Diamond Obstructed Justice in my case (by shredding my documents and DENYING my motions to both recuse and Subpoena the LOGBOOKS) and months after BLAZINGLY refusing (for all to see in his FASCIST NAKED GLORY) to rule on my motions in documents # 428/431/434 he remains on the bench. He remains on the bench in the Eastern District of the THIRD CIRCUIT with no "cure" to such even being on the horizon. We need a Special Counsel in this case/our case 2:19-cr-00356-PD-1 and when we do that we will then (and only then) have the opportunity to restore the "rule of law" in this case. Once the "rule of law" is removed from one it won't be long before the "rule of law" is removed from most/all. It is with a heavy heart that I tell you my friends THEY (in the THIRD CIRCUIT) have stolen our country from us. In the country I live in, they almost never afford you "Due Process" volitionally. You Gotta SNATCH it and hold onto it







TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-V-A

~~King~~ King in Selma and they sure as Hell didn't do it for Berkowitz (in the THIRD) in Philadelphia (the city I love where the liberty bell is that isn't ringing) where the roots of this nation and its ideals originated. We need to take our country back from the rat bastards and that is my dream. It is a dream well entrenched in the American dream. And that's why I write you today of the need for a Special Counsel. Once we have that Counsel we can then work our way towards my dream/our hope to "Make America Decent Again."

In Amendment 25 Section 4 of the US Constitution it discusses the process that is required to replace the President should it be determined by "The Powers To Be" that he is UNFIT to fulfill the obligations/sworn vows/responsibilities that the job entails. Even Diamond's most ardent supporters would have difficulty rebutting the assertion that Diamond's "responses" to my filings (now known as Documents # 428, 431 and 434) prove him to be UNFIT to be presently on the bench as a Federal District Court Judge. All one must do is look at my criminal docket to see the proof that he is incapable of carrying out his sworn duties/responsibilities. That being said, we need to "kick the can down the road" and shift our attention to Diamond's bosses. We need to see if those bosses have the courage and integrity to perform their job. They need to honor their sworn vows, to execute/carry out their obligations/responsibilities to this nation and relieve Diamond of his. The only alternative to <sup>doing</sup> such would be for them to relieve themselves of their own position and replace themselves with someone capable of removing Diamond. This preceding (and willing to) TURN →



assertion is not so much a request as a directive.  
An instruction of sorts from your boss (of whom I  
am a representative of (The citizenry)) me being  
THE WHISTLEBLOWING GOOD DOCTOR.

I'm sure there is a process to be followed for  
removing a Federal Court District Judge <sup>who</sup> ~~as there~~ has been  
proven to be incapable of performing his duties  
(just as there is a process for removing a President  
We need to initiate that process right here, right now  
for the Dishonorable Judge Paul S.S. Diamond.



Exhibit  
J 16  
~~CONFIDENTIAL~~

TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

FROM: 77307066

TO:

SUBJECT: Many Expert Psychiatrists would find Judge Paul S

DATE: 11/16/2023 10:49:54 AM

Diamond to be clinically psychiatrically classified as "Evil."

The famous author/psychiatrist/minister M. Scott Peck MD wrote "The Road Less Travelled." This book was the first of his trilogy that discusses Spiritual Growth in an Age of Anxiety. This book has spent more weeks on The New York Times Bestseller List than any other book in history. In addition to this fact, that book was voted by American readers as being in the top three books in history that was the most helpful to them in guiding them in spiritual personal growth. Number one on that list being the Bible. Additionally, he has been cited as being in the top 10 psychiatrist in the world most quoted. Google him to fact check the statements written above.

While I am a Internist by trade, I have been told by dozens of clinicians during my career(some including my mentors and professors)that my true calling was psychiatry. In some courts of law due to my experience/training/knowledge, I have been granted quasi expert witness status in the realm of psychiatry despite not being a residency trained/ licensed psychiatrist. My knowledge could be best described as knowing more about psychiatry than 95% of physicians that are not residency trained in psychiatry. Upon seeing Judge Diamond in action in my case AND being forewarned about his radical moral bankruptcy(which included the opinion of my Ineffective Assistance of Counsel lawyer Marc Neff who from the get-go said we have a problem in my case that the DOJ handpicked Diamond to be the presiding Judge in my case being that Diamond in his 30+ years experience was the vilest, lawless Judge he ever met or ever will meet), I started to try to better understand the concept of Evil. My readings of 5 of Peck's books(including the trilogy mentioned above) and that of the pre-eminent Dr Carl Jung (who by many is thought only to be second to Sigmund Freud) greatly enhanced my knowledge of true Evil. Many experts agree that Jung's description of "The Shadow" is quite helpful in accurately depicting the nature of evil i.e. as good as it gets. While Peck devoted an entire book to Evil in his classic iconic book-- "The People of The Lie", he also devoted a few sections to that topic in the third book of his trilogy-- "The Road Less Traveled and Beyond". In the exhibit to follow this one, I copied but 2 pages from that book focusing on Evil-- pages 74-75. In those two pages he pays proper respect to Jung's description of "The Shadow." Should we objectively evaluate Diamond's behavior i.e. actions/proclamations, it is Diamond himself that makes the most compelling argument that he conforms to Jung and Peck's definition of evil to the letter-- as far as the evidence shows. For a fuller understanding of Peck's exploration into the nature of Evil(beyond that of the two pages in the Exhibit referenced to in this filing), I refer you to his book "The People Of The Lie" and/or pages 66-76 from "The Road Less Traveled And Beyond" from which those two pages come from. To Americans in our culture and religions, the greater percentage of our public believes in the reality of the two concepts of "Good and Evil." Additionally, many have made those concepts as the cornerstones of their lives-- especially including (but not limited to) all that profess to be true Muslims/Jews/Christians. Secular Humanist(who include many non-religious atheist/agnostics) also pledge their allegiance to "the Good." While Nihilist don't profess their support for "the good" and their dedication to extinguishing Evil, the Government Propaganda Narratives of our country are chock full of references of their support/dedication to rewarding all that is good and punishing all that is evil. The evidence as to the veracity of the Government's aforementioned talking point(supporting such) shows that they SAY they live by(not just give lip service to) has been disheartening to those all true patriots of our country. Additionally, in recent years particularly there has been much doubt fostered among the citizenry by their witnessing the "real time" actions of the Judicial Branch and the DOJ as to their ever decreasing allegiance to "walking the walk" in regards to the "talking points" that

--We radically support "The Rule Of Law" and have utter disdain for those dedicated to opposing that "Rule Of Law"

--In our dedication to "The Rule Of Law" we stand by that "Rule Of Law" that mandates that "No one be above that Law"

We see from the Trump and Biden administrations that the DOJ has been weaponized to attack the opposing parties. On top of that- adding insult to injury- during both these administrations our Government has become more and more Fascist every month/year(slipping further and further down that slippery slope to "1984")Both Barr and Garland have recognized and vociferously talked of the problem of OVERZEALOUS AUSAs(code word for FASCIST Persecutors) to the detriment of America's Citizenry's Constitutional Civil Rights. This has been proven by the fact that DESPITE the ever increasing of the recruiting of incompetents by the DOJ to be their AUSAs that hasn't diminished the DOJ in their ability to deny 98.3% of defendants their civil right to trial and a concomitant accompanying 99+% kill rate of defendants irrespective of those defendant's guilt or innocence. And yet, we have hope that this distressing trends will reverse themselves. The people welcome, and are thirsting for, signs that their belief that not all those who work for the Government are morally bankrupt is not misguided. There is one sure sign that Attorney General Merrick Garland can do to bolster our faith that "The Rule Of Law" will one day return to our beloved country. Attorney General Garland, if you truly seek the return of "The Rule Of Law"- Come down from WASHINGTON DC to the THIRD CIRCUIT-- SUBPOENA THOSE LOGBOOKS-- And then indict the Evil SOB BASTARD, the Dishonorable Judge Paul SS Diamond, for the crime of OBSTRUCTION OF JUSTICE. In Jesus' name I pray.

FYI--This exhibit will be sent not only to the THIRD CIRCUIT Court of Appeals but also the Attorney and Inspector Generals, the Administrator of Courts and many other of The Powers-That- Be.







74

M. Scott Peck, M.D.

of their sins or the illegality of their deeds. It is not their sins per se that characterize them; rather it is the subtlety and persistence and consistency of their sins. And underlying this consistency, what distinguishes those who are evil, like Bobby's parents, is the extremes that they will go to in order to avoid the consciousness of their own evil.

### THE SHADOW

Carl Jung ascribed the root of human evil to "the refusal to meet the Shadow." By "the Shadow," Jung meant the part of our mind containing those things that we would rather not own up to, that we are continually trying to hide from ourselves and others and sweep under the rug of our consciousness.

Most of us, when pushed up against the wall by evidence of our own sins, failures, or imperfections, will acknowledge our Shadow. But by his use of the word "refusal," Jung was implying something far more active. Those who have crossed over the line that separates sin from evil are characterized most by their absolute refusal to tolerate a sense of their own sinfulness. This is because their central defect is not that they have no conscience but that they refuse to bear its pain. In other words, it is not so much the sin itself but the refusal to acknowledge it that makes it evil.

In fact, the evil are often highly intelligent people, who may be quite conscious in most respects but have a very specific unwillingness to acknowledge their Shadow. The briefest definition of evil I know is that it is "militant ignorance." But evil is not general ignorance; more specifically, it is militant ignorance of the Shadow. Those who are evil refuse to bear the pain of guilt or to allow the Shadow into consciousness and "meet" it. Instead, they will set about—often at great effort—militantly trying to destroy the evidence of their sin or anyone who speaks of it or represents it. And in this act of destruction, their evil is committed.

### THE ROAD LESS TRAVELED AND BEYOND

75

I have written that guilt—although often viewed as a "downer"—is in many ways a blessing. Having a genuine awareness of one's own shortcomings is what I call a sense of personal sin. It is not pleasant to be aware of oneself as a naturally lazy, ignorant, self-centered being that rather routinely betrays its Creator, its fellow creatures, and even its own best interests. Yet this unpleasant sense of personal failure and inadequacy is, paradoxically, the greatest blessing a human being can possess. Unpleasant though it may be, the gift of appropriate guilt is precisely what keeps our sins from getting out of hand. It is our most effective safeguard against our own proclivity for evil.

Among the reasons for becoming more conscious is to avoid becoming evil. Fortunately, the truly evil represent only a minority of the human population. Yet lesser forms of psychological illness abound. And although not evil, they too can reflect an unwillingness to meet our Shadow. Sigmund Freud and his daughter, Anna, compellingly demonstrated that there is often "sinister" stuff lurking in the depths of the unconscious mind. Traditional Freudian psychology has taught us that the causes of most psychological disorders stem from hidden feelings—anger, unacknowledged sexual desire, and so on. Because of this, psychological illness has been localized in the unconscious realm by most thinkers, as if the unconscious were the seat of psychopathology, and symptoms were like subterranean demons that surface to torment the individual. My own view is the opposite.

As I wrote in *The Road Less Traveled*, I believe that all psychological disorders are basically disorders of consciousness. They are not rooted in the unconscious but in a conscious mind that refuses to think and is unwilling to deal with certain issues, bear certain feelings, or tolerate pain. These issues, feelings, or desires are in the unconscious only because a pain-avoiding conscious mind has thrust them there.

Of course, no one walking around is so unhealthy that he is not at least slightly conscious. And no one is so healthy that she is *totally* conscious. There are innumerable degrees of con-



[REDACTED]



TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

Exhibit

K,

FROM: 77307066

TO:

SUBJECT: They convicted me of a crime that NEVER occurred!!

DATE: 12/05/2023 07:07:28 AM

I was doing my job as THE GOOD DOCTOR when the Evil Empire essentially came in the middle of the night and snatched me out of my bed, stole all my money and threw me in jail with a twenty year sentence

People in the USA believe it couldn't happen here

They believe that Americans are genetically different from the Germans of the Hitler era or the Russians of the Stalin era

While many people are convinced it couldn't happen here one group that was anything but sure that it couldn't was our forefathers of this country. To prevent such occurrence they did all they could to institute "The Rule Of Law."

They still correctly greatly feared ~~feared~~ that we would forever be a nation of people rather than a nation of laws. With that in mind they added on the Second Amendment-- the Amendment that protects all the others

I am a patriot to "The Rule Of Law"-- a slave to it

The GOVERNMENT's bad actors (whose El Chapo apparently is The Third Circuit "Judges") is as a group a patriot to the same force that the "Judges" in Russia/China/North Korea are but with one difference--

that difference being that the Judges of the US are far superior to those others previously mentioned at processing far greater numbers each year per capita and over 99% of them that have been indicted by a Ham Sandwich Indicting Grand Jury (a system with which the Powers-That-Be established with great care to carry out their own agenda rather than God's "just" plans) This system is such that the demonic forces of the FBI correctly declare in Fascist Ecstasy that we can indict whomever we want/whenever we want and for whatever reason we want.

This case right here, right now proves so much.

For the record. I here FORMALLY accuse the Government (primarily the Third Circuit Court) of knowingly -- assigning their boy-- Judge Paul SS Diamond the "GOAT" of all Fascist Judges and Chief document Shredder to be the presiding Judge in my case -- with forethought of malice) leading The Grand Jury down the wrong pathway by giving them errant Jury instructions (as evidenced by AUSA Leahy "rewriting the statute" as she did at The Grand Jury Testimony and doubled down on in Document# 301 on page 16)

-- ignoring The Rule Of Law dozens of times in my case i.e.. Denying/suspending

a) The need for the Government to present a factuality in their evidence to their ill gotten MURDER extortion pleading of 1/24/20 where I was coerced to plead BALDLY to criminal statutes/counts never committed (as evidenced by Diamond (The "GOAT" of all Fascist Judges) declaring in Document 331 on page 4-- they got him to plea and thus it is "POINTLESS" for the Government to be compelled to produce a factuality to their GPM i.e it obviates them of that responsibility

b) The precedential ruling that a Change of Plea motion must be "FREELY GRANTED" and the just and fair reason be "LIBERALLY INTERPRETED."

c) The need for a defendant to receive Effective Assistance of Counsel and thus enter the pleading intelligently, knowingly and voluntarily

d) The need for the Appeals Court to actually address all substantive issues rather than IGNORE all of them in And yet-- the Third Circuit will tell you all was done to serve that higher purpose-- their means to achieve their ends ~~that~~

e) The need to allow the defendant to present his own defense without CENSORING allowing the judge to censor/destroy any and every document that was exculpatory to his innocence from getting to the PACER docket i.e .to see the light of day

f) The need for the defendant to have a Judge preside over his case who isn't "as radically DEMONICALLY biased against him and The Lord Our God. At this point there are multiple, multiple pieces of evidence in the record proving he was 100% aware of my complete factual innocence prior to sentencing me/convicting me .

And yet should these Judges have followed "The Rule Of Law" that would have run counter to their hidden agendas of insuring that

1) 98.3% be denied their right to trial-- by not doing such they'll not be able to make their 1:30 tee time golfing with the criminal defendant lawyer who takes them and the DOJ's lawyers out to a day of golf and dinner at their country clubs

2) 99+% get convicted-- the envy of all the world's fascist court systems/nations

3) maintain the all important ORDER in this nation that there will be one rich person for every 250,000 not so rich people with an equivalent wealth-- and that's the ORDER that will be maintained!!!!

4) the Appeals Courts throughout the land to honor the directive given to them by their leaders to approve no more than 2% of Appeals and having a predisposition to making those 2% they grant be only ones that lessened the sentence as opposed to







TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

Exhibit K<sub>2</sub>

those that declared the victim to be either legally and/or factually innocent

5) they join the STRONG Government to beat down the weak defendant (while Judge's have been primarily commissioned to defend the weak defendant's Constitutional civil Rights against the Fascist Power of the Government a; most all Federal Judges have decided for their own personal advantage to join in on the fray/beat down of the weak (and the Lord Our God ain't none to happy for their betrayal of HIS directives).

I am a peaceful, law abiding, patriotic citizen who is NOT advocating violence. The same, however, cannot be said of the GOVERNMENT (whose Kingpin is the Third Circuit's Court of Appeals). Let this document serve an equivalent purpose to that of The Ride of Paul Revere that sounded the alarm. "The FASCIST are coming". "The Fascist are coming". And you're next. When "The Rule Of Law" is DENIED to 10's of thousands (presumably assuming my case to be more the "Rule" than the "Exception"), then it won't be long before it is Orwell's "1984" and routinely DENIED to 10's of millions. The "fall" of all great nations comes from within. If you don't believe it just Google that and while your at it also Google the fact that the THIRD CIRCUIT is the most lawless/overturned circuit in the country.

Ex-FBI Director James Comey (in the book "The Chicken Shit Club") was quoted telling his subordinates "now that I'm in charge we are going to charge the right people, for the right reasons and prosecute in the right way." Irrespective of the sincerity of his statement he was none to successful in implementing that directive. In the future I would for the citizenry to rejoice should they hear that the FBI or DOJ's morale is at a all time low. The reason for that being that the morale of these cults is inversely proportional to their propensity to following "The Rule Of Law." In this case I have come to realize that the one group of people who are immune from prosecution by the DOJ are FASCIST JUDGES who do the bidding of SATAN. According to the paradigm of logic known as Occam's Razor there is factually no other reason to explain why SS Diamond is still on the bench. No other explanation as to why the DOJ has failed to prosecute him despite my proving that he is IRREFUTABLY and DEMONSTRABLY (over 2 years ago) as Fascist as it gets; Proving that he would/should be removed from the bench at God's speed. And that is what indeed would have happen had it not been true that we are ruled by people who have a complete and utter disdain for "The Rule Of Law." We have lost our way-- of this I am sure!!







Exhibit

TRULINCS 77307066 - BERKOWITZ, ANDREW M - Unit: FTD-Q-B

FROM: 77307066

TO:

SUBJECT: The need for a Special Counsel

DATE: 11/16/2023 10:54:16 AM

I am sending this correspondence to the THIRD CIRCUIT, the Attorney and Inspector Generals, The Administrator of the US Courts and certain specific members of the Senate and House Judiciary Oversight Committees. In my opinion (and I have much factual/historical reason to believe i.e. supportive of such) it will be unlikely that the THIRD CIRCUIT will provide me in this case 2:19-cr-00356-PD-1 the DUE PROCESS that I am (allegedly) entitled to under the Constitution. That being said, I am formally requesting at this time (for the second time) that the Attorney General steps into this case and (for the first time) requesting a Special Counsel be appointed to my case. It is apparent that the THIRD CIRCUIT court of Appeals/has not/will not and has ZERO inclination to interject the "rule of law" into my case. That's not where their thoughts lie. Normal humble people who are God Fearing would have tremendous remorse for wrongfully convicting a DEMONSTRABLY, FACTUAL INNOCENT GOOD DOCTOR and be anxious to "cure." But those people would only be in a position to intervene in my case (to do such "curing") in a decent country in a decent CIRCUIT. That's not what Diamond's three stooges on the Appeals Court in the THIRD (Ambro, Shwartz, Porter) were focused on when they were given that opportunity to "cure" when I appealed this case. For them it was all about my irreverence for THEIR BOY, THE "GOAT" of all Fascist Judges A.K.A. the CHIEF SHREDDER OF THE EASTERN CIRCUIT, the DISHONORABLE JUDGE Paul S.S. Diamond. Instead of doing their job and being a patriot to the Constitution they chose to be patriots to THEIR BOY and teach that WHISTLEBLOWER a George Floyd/Diallo/Rodney King lesson he would never forget. The THIRD CIRCUIT is NOT interested in restoring that "rule of law" to my case and I will substantiate this assertion to be factually true in the paragraphs to follow.

1) I had been lawlessly convicted of a crime that the DOJ failed to produce ANY evidence at all to my having committed such. ZERO evidence that I ever violated either the Controlled Substance Act or committed Health Care Fraud. Diamond admitted that the DOJ failed to present an affirmative case to such on page 4 of document #331. There he stated (actually this was a retweet of his earlier fascist pronouncement) that it is "pointless" for the DOJ to have to present an affirmative case being that I had already pled. But while I pled to this, that and the other thing, after being made by the DOJ "the offer I couldn't refuse" (i.e. be a good boy and sign on the line or face a super indictment for (what was later proven to be a fake/baseless threat) a THIRD DEGREE MURDER which has as a minimum 20 years) what I actually pled to doesn't, in any way, bring any factuality to the counts and charges I was indicted on i.e. doesn't amount to a hill of beans. In that pleading there was zero discussion of mismatches between patient diagnoses and treatments i.e. the science of it all from a court qualified EXPERT WITNESSES IN PAIN MANAGEMENT which is the essence/mandatory to making the assertion that health care fraud was committed. The DOJ couldn't bring any factuality as to such for any of the original 19 counts let alone the 12,000+ (100% of my disbursements to their FRIENDS at BC/BS and Aetna which resulted in their receiving over 3.5 million in restitution) counts that added on by the DOJ through their back door Machiavellian maneuver that was never litigated/scrutinized at all known as "relative conduct." Not everything I pled to was factual (and why would any rational person suspect any of it was being my pleading was done at the point of a gun) but even if it ALL was true (once again) that "ill gotten" pleading brought ZERO evidence of the medical illegitimacy of anyone of those 12,000+ disbursements. Diamond (being on the bench for 19 years) knows that he was not legally allowed to accept a pleading that had no factual basis. Clearly, if I pled to shooting Abe Lincoln he wouldn't accept that pleading irrespective of the fact I pled to it. Or would he?? Mary Beth "LYING" Leahy inadvertently admitted to not knowing the statute (and thus in a sense inadvertently admitting that the GPM had no factual basis and if it did she was unaware of it). On page 16 of document 301 she stated we didn't need any science from a Pain Management doctor because the evidence was "OVERWHELMING". But the Devil's "OVERWHELMING" in this case happens to be equivalent to the Lord's non-existent. She SAID she had HEARD, from unspecified sources who would know (that wasn't me or any of my patients who were in the exam room being that the DOJ only found one disgruntled/unsatisfied patient (who came to me one time before searching out other doctors to be disgruntled with in his long line of doctors that he didn't like who didn't cure him) out of my 1600+ patients during that 4+ year time span in question in my case) that I didn't give enough advice to /do long enough exams for/answer enough questions of / discuss enough drug-drug interactions blah, blah, blah to my patients. She didn't know the statute nor felt that, that was particularly germane to my case being that she was going to get this case in front of in front of a evil FASCIST Judge. That's why it was so important to the DOJ that they chose Diamond to preside over this case being that this case lacked both Actus and Mens Reus. No evidence because there was no crime. And all the evidence in this case was completely uncovered and out in the open (as an open handed Poker game would be) proving affirmatively of that innocence beyond any doubt at all.

2) The THIRD CIRCUIT has left me lawyerless for almost 5 months and Judgeless for over 2 months. When my lawyers abandoned my case in the middle of it and I made the THIRD aware of it they did NOTHING to cure me or sanction them. When Diamond refused to address (for eternity) any of my substantive motions they did NOTHING to cure me or sanction him. The THIRD will do all they can to protect "THEIR BOY" and the fact that he's still on the bench defines the THIRD and substantiates their position as the most overturned/FASCISTLY LAWLESS Circuit in the land. In addition to that, we have the DOJ refusing to investigate any of the THIRD CIRCUIT'S judicial malfeasances leaving me to be the WHISTLEBLOWER. The THIRD CIRCUIT has great animus towards me for being THE WHISTLEBLOWER on them. That being said, I need that Special Counsel and I need this case to be heard in a non-conflicted CIRCUIT which is any other than the THIRD.







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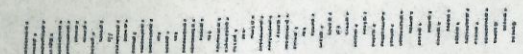
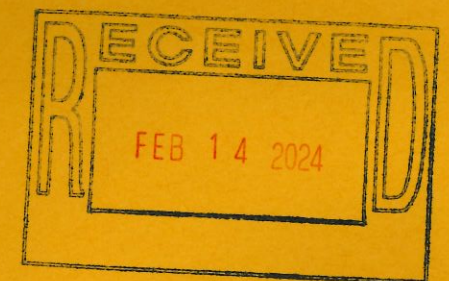


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